Fifth Series Vol. XLVI - No. 14

Tuesday, December 3, 1974
Agrahayana 12, 1896 (Saka)

LOK SABHA DEBATES

(Twelfth Session)

(Vol. XLVI contains Nos. 11-20)

LOK SABHA SECRETARIAT
NEW DELHI

Price : Rs. 2.00

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LOK SABHA

Tuesday, December 3, 1974/ Agrahayana 12, 1896 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

WELCOME TO HIS EXCELLENCY DR. LUBOMIR STROUGAL, PRIME MINISTER OF THE CZECHOSLOVAKI SOCIALIST REPUBLIC

MR SPEAKER: Hon. Members, at the outset I have to make an announcement.

On my own behalf and on behalf of the hon. Members of the House, I have great pleasure in welcoming His Excellency Dr Lubomir Strougal, Prime Minister of the Czechoslovak Socialist Republic, who is on a visit to India He is accompanied by Madam Strougal. He is now seated in the Special Box. We wish him a happy and fruitful stay in our country. We convey our greetings and best wishes to him and through him to the Parliament, Government and the people of Czechoslovakia.

ORAL ANSWERS TO QUESTIONS

विगत रेलवे हड़ताल के बाद टिकट चैकिंग स्टाफ के वे कर्मचारी जिन्हें बर्खास्त किया गया। मुअत्तल किया गया। जिन पर मुकदमा चलाया गया

*285. श्री शंकर दयाल सिंह ; क्या रेल मन्त्री यह बताने की कृपा करेंगे कि .

(क) विगत रेलवे हड़ताल के बाद टिकट चेकिंग स्टाफ के ऐसे कितने कर्मचारी हैं जिनको मुअत्तिल अथवा बर्खास्त किया गया है अथवा जिन पर मुकदमा चलाया गया था , और

(ख) उनका क्षेत्रवार ब्यौरा क्या है ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is placed on the Table of the Sabha.

Statement

The present position regarding Ticket Checking staff who were suspended, dismissed or removed from service and against whom prosecution has been launched is as follows:—

S. No.	Railway	No. Under suspension	No. dismissed /removed from service and not taken back.	No. against who ptosecution is pending.
1	Central	1	Nil	19 (18 recommended for withdrawal)
2.	Eastern	Nil	7	Nil
3.	Northern	Nil	1	4
4.	North Eastern	3	2	Nil
5.	Northeast Feontier	Nil	10	Nil
6.	Southern	Nil	4	Nil
7.	South Central	Nil	1	2
8.	South Eastern	1	2	1
9.	Western	Nil	5	2

श्री शंकर दयाल सिंह वक्तव्य को देखने से पता चलता है कि यह या तो अपूर्ण है या इसको जानबूझ कर इस तरह से बनाया गया है। टिकट चेकिंग स्टाफ के लोग या तो गाडिया चलाते है या हरी झडी दिखाते है। वे बराबर गाडी के साथ चलते है लेकिन उनको रनिंग स्टाफ का दर्जा अभी तक नही दिया गया है। उन्हे सजा भी सबसे अधिक दी गई है। 6 अगस्त, 1974 को श्री एस० एम० बनर्जी के नोटिस पर श्री कुरैशी साहिब ने अपने उत्तर मे यह कहा था कि मै सदन को यह आश्वासन देना चाहता हूं कि सरकार का विचार है कि जिन के विरुद्ध गम्भीर तथा कठोर मामले है और जो दोषी है उन्ही को सजा दी जाए तथा जो भोले भाले है उन्हे नौकरी पर वापिस ले लिया जाए। मे जानना चाहता हू कि टिकट चेकिंग स्टाफ के ऐसे लोग जिन के खिलाफ किसी तरह का कोई मामला नही है किन्तु जो व्यक्तिगत विद्वेष के शिकार है उनका वापिस लिया जाएगा? मान ले कि डी एस ने किसी ऐसे व्यक्ति का बरखास्त कर दिया है। ऐसे लोगों को वापिस बुलाने मे कौनसी आपत्ति और अगर कोई नही है तो कब तक उनको वापिस ड्यूटी पर बुलाया जाएगा?

श्री मुहम्मद शफी कुरैशी पालिसी यही है कि जिन के खिलाफ कोई इलजाम नही है उसको सजा न दी जाए। स्टेटमेंट मे यह दिया हुआ है कि 59 टिकट चेकिंग स्टाफ के लोगो का समरेड किया गया था। इन मे से 55 कमिश्न वापिस ले लिए गए है। चार के खिलाफ अदालतो मे केस चल रहे है। 226 इस कैटगरी मे स्टाफ के लोग थे जिन का डिसमिस किया गया था जिस मे से 184 को वापिस ले लिया गया है। 28 केस जो वापिस नही लिए गए है उन मे से 18 के सम्बन्धित फैसला कर लिया गया है। और उनके खिलाफ केस ड्राप किए जा रहे है। दस रह जाते है। इससे यह साफ है कि हम नही चाहते है कि किसी को बिला वजह तकलीफ दी जाए या सजा दी जाए, बिना किसी जुर्म के सजा दी जाए। इस मामले में हम काफी आगे बढ़े है। दस पन्द्रह के लिए बाकी रह जाते हैं और उनका भी बहुत जल्द फैसला किया जाएगा।

श्री शंकर दयाल सिंह: वह कहते है कि जो भोले-भाले व्यक्ति है, कर्मचारी है उनको जल्द वापिस बुला लिया जाएगा लेकिन हकीकत यह है कि डी एस या सी सी एस की किसी टिकट चेकिंग स्टाफ से परसनल ग्रज है तो उसने उससे इस मे बदला लेना चाहा है और लिया है। आप ईस्टर्न रेलवे ले ले। सात कोर्या तो डिसमिस किया गया है या सर्विस से हटाया गया है और उनको अभी तक वापिस नही लिया गया है। लेकिन मेरे पास ऐसे दस कर्मचारियो के नाम है, लिस्ट है जिन को आपने रिमूव किया है। दानापुर मे तीन, हावडा मे एक, आसनसोल मे तीन, धनबाद डिविजन मे तीन। दानापुर डिविजन मे एन पी सिन्हा, हावडा मे डी बी राय, धनबाद डिविजन में तो एम एन० सिंह कुछ ऐसे लोग है जिनके ऊपर किसी तरह का कोई केस नही है और ऐसे लोगो को आपने ड्यूटी पर नही बुलाया है। ऐसे निरीह लोग जिन का कोई दोष नही है और जिन को जानबूझ कर तग करने के लिए ड्यूटी पर नही बुलाया जा रहा है और उनकी रोजी रोटी मारी जा रही है, क्या आप आदेश देंगे कि उनको अविलब ड्यूटी पर बुला लिया जाए?

श्री मुहम्मद शफी कुरैशी जाती अदावत की बिना पर या जाती दुश्मनी की बिना पर किसी को तग किया जा रहा है तो उसको भी देखा जा सकता है और जो नाम माननीय सदस्य ने बताए है उनकी मै पूरी जाच करूगा। लेकिन 109 ईस्टर्न रेलवे मे एम्पलायीज को डिसमिस किया गया था जिन मे से 102 को वापिस ले लिया गया है। सिर्फ सात लोग है जिनके खिलाफ कोर्ट केसिस है। माननीय सदस्य है नाम बताए है उनकी जांच करके पूरी इत्तिला मै दे दूगा।

श्री शंकर दयाल सिंह : मैं ने तो तीन व्यक्तियों के नाम लिए है, उन के ऊपर कोई कोर्ट केसेज नहीं है लेकिन डी एस चाहते है कि जब तक मैं रहूंगा तब तक इन को ड्यूटी पर नही आने दूंगा, इस तरह का तो अन्याय हो रहा है।

श्री मुहम्मद शफी कुरैशी . इस को हम जाच कर लेंगे।

SHRI NOORUL HUDA: The hon. Minister has given the number of employees dismissed and removed from service and he has given in the third column the number of employees against whom prosecution is pending. We find from this list that except for Central and Northern Railway, in the other cases prosecution is not pending against those employees dismissed or removed from service I would like to know the reasons for not taking back those employees for the last six months What are the Government doing so that these employees can join service immediately?

SHRI MOHD SHAFI QURESHI· This question pertains to the ticket checking staff If the hon Members want, I can give some more information

PROF. MADHU DANDAVATE Sir, let him be not so technical. What applies to the ticket checking staff applies to others also Sir, give him more latitude.

श्री हरि किशोर सिंह : मैं मन्त्री महोदय से जानना चाहता हूं कि क्या टिकट चेकिंग स्टाफ के लोग भी हड़ताल पर गए थे ? मेरी जानकारी है कि अधिकतर टिकट चेकिंग स्टाफ के लोग हड़ताल पर नही गए थे और जो शकर दयाल जी ने कहा है विद्वेष के कारण बहुत से अफसर लोग उन से इसी मे बदला चुका रहे है। बुनियादी बात यह है कि वे हड़ताल पर गए थे या नही गए थे ? नही गए थे तो उनके ऊपर कार्यवाही करने का प्रश्न कैसे उठता है ?

श्री मुहम्मद शफी कुरैशी : यह हकीकत है कि ये लोग हड़ताल पर गए थे। उसके बाद उन्होंने जो और भी काम किए हैं उस के ऊपर कार्यवाही की गई है।

श्री भागवत झा आजाद अध्यक्ष महोदय बार-बार के प्रश्नों के उत्तर में मन्त्री जी ने यह कहा है कि हम उदारता के साथ उन केसेज को ले रहे है जिन के खिलाफ कि कोर्ट मे केसेज नही है या जिन के खिलाफ आग लगाने या और भी वायलेस इत्यादि के केसेज नही है। बार बार हम तमाम लोग उन से पूछते है और शकर दयाल जी ने पूछा कि ऐसे उदाहरण है रेलवे मे जिन पर कि कोई केसेज नही है कोर्ट मे और जिन के खिलाफ कोई वायलेस का केस भी नही है, मगर उन को भी अभी तक ड्यूटी पर नही बुलाया गया केवल इसलिए कि उन के ऊपर के अधिकारी उन के खिलाफ है और चाहते है कि इन को हम इसी बहाने सजा दे इस के तीन उदाहरण दिए , तो हम यह जानना चाहते है कि ऐसे केसेज मे किस प्रकार इस बात को देखते है कि उन को नौकरी पर न बुलाने का कारण उन के ऊपर के अधिकारियों का विद्वेष है ? क्या उन के पास मशीनरी है जिससे उन्हे यह पता लग सके कि डी एस या दूसरे ऊपर के अधिकारी इन के खिलाफ, विद्वेष के कारण वह कार्यवाही नही कर रहे है ?

श्री मुहम्मद शफी कुरैशी : अध्यक्ष महोदय 5700 कर्मचारियों के खिलाफ अदालत मे केसेज है और इन तमाम केसेज की जाच रेलवे ने अपने तौर पर की है। हम ने यह फैसला किया है कि इन मे से 3,350 के खिलाफ वायलेस का कोई जार्ज नही है, ये केसेज ड्राप किए जाये। उस के लिए विदड्राअल के लिए स्टेट गवर्नमेंट को लिखना पड़ेगा। उस का एक प्रोसीजर है विदड्राअल का, उसके मुताबिक

काम करना पड़ेगा और उन को लिखना पड़ेगा कि ये केसेज विदड्रा कर लिए जायें। तो 5700 केसेज में से रेलवे ने खुद ब खुद 3,360 केसेज के लिए यह कहा है कि ये केसेज ड्राप किए जायें। बाकी जो 2 हजार के करीब रह जायेंगे अदालत उन के ऊपर फैसला करेगी, उस के अनुसार कार्यवाही होगी।

श्री भागवत झा आजाद : ये फिगर्स बार बार दी गई हैं। यह तो हम ने सुन लिया है। हम तो यह पूछ रहे हैं कि जिनके खिलाफ ऊपर के अधिकारी विद्वेष के कारण कार्यवाही किये हुए है, विद्वेष के कारण जिनको वापस ड्यूटी पर नही बुला रहे है उनको बचाने के लिए आप क्या कर रहे है? उसके तीन उदाहरण भी दिये।

श्री मुहम्मद शफी कुरैशी : शायद माननीय सदस्य को मालूम नही है कि यह फिगर मैं पहली बार हाउस मे दे रहा हूं।

श्री भागवत झा आजाद : बडी बहादुरी का काम कर रहे है। हम को मालूम नही है, समूची मालूमात की जिम्मेदारी मंत्री जी ने ही ले ली है. . . (व्यवधान) . . .

श्री शंकर दयाल सिंह : 6 अगस्त, 1974 को यह फिगर आप दे चके है। मेरे हाथ मे है। आप ने यह भी दिया है कि कितनो को आप ने अरेस्ट किया, कितनो को जेल मे रखा और कितनो को छोड़ा। यह लिस्ट है, आप देख लीजिये। आप के लिए मैं और ज्यादा कुछ नही कहना चाहता हूं, बड़े मंत्री रहते तो मैं जरूर कहता।

PROF. MADHU DANDAVATE: Sir, efore I ask a question, under Rule 15, I will separately give a notice or the .Minister's giving a wrong nswer today because on 5th August, 974, he has already given the figures. oday, he says that he has never iven such figures on the floor of the louse. I will give a separate notice or that.

Now, I come to my question....

श्री अटल बिहारी वाजपेयी : स्पीकर साहब कहेंगे इम्प्रोप्राइटी है, कोई ब्रीच आफ प्रिविलेज नही है।

PROF. MADHU DANDAVATE: The breach of propriety committed three times should be considered as equal to one breach of privilege.

अध्यक्ष महोदय : आप ने अपना गस्सा निकाल लिया।

PROF. MADHU DANDAVATE: In pursuance of the question that Shri Limaye and I had raised earlier and to which he had given a reply, when we asked how many cases involving sabotage and violence were there against the railway employees, how many have been disposed of and whether they were found guilty of sabotage and violence, he had stated on the floor of the House, on that occasion, "I have not got information so far" So many months have elapsed and he should have that information now. The question related to ticket checking staff as well as others.

I have received a telegram this morning from the Southern Railway saying that though there is no case pending related to sabotage and violence, still they are dismissed and they are not reinstated. Therefore, I want to know specifically from the hon. Minister, out of such cases, how many cases are there in which there is a charge of sabotage and violence and that charge has been established. and, in the case of the rest of the employees, I want to know whether he is going to reinstate them unconditionally.

MR. SPEAKER: Ticket Checking Staff and others also?

PROF. MADHU DANDAVATE: Ticket Checking Staff and their friends.

SHRI MOHD. SHAFI QURESHI: Sir, because this Question related to Ticket Checking Staff, today I have only the figure of Ticket Checking Staff with me....

MR. SPEAKER: It is much better, you do statistical checking and you check your answer also. It may not create a headache for me later on.

SHRI MOHD. SHAFI QURESHI: I want to make one thing clear about the figure that I have given today. On the last occasion, I had mentioned that the total number of persons against whom the cases were pending was 5,800. Today, I have given the number of cases pending in the court as 5,700. So, this is the information which I am giving to the House for the first time. Since last time, when I replied to the question, we have dropped cases against about 100 persons. What I am saying today is that the Government has taken a decision to drop 3,350 cases which are pending against the employees who are involved in sabotage and violence. Out of 5,700 cases, we are dropping cases against 3,350 persons. About whatever cases remain, these are being scrutinised and, I am sure, more cases will be dropped. Ultimately, a few cases involving sabotage and violence will remain which will, naturally, go to the court and we will abide by the decision of the court.

PROF. MADHU DANDAVATE: I want to know in how many cases of sabotage and violence, the court has found them guilty.

SHRI MOHD. SHAFI QURESHI: The cases are pending before the court. Until they are disposed of, how can I say that?

श्री मधु लिमये : मेरा प्वाइंट आफ आर्डर है। मेरा ही प्रश्न था यह। आप डायरेक्शन देखिये जो क्वेश्चन के बारे में है। मैं उसके अंदर खड़ा हुआ हूं। पूरा उत्तर आना चाहिए यह आप के डायरेक्शन में है। पिछली बार हम ने सवाल पूछा था। कन्विक्शन कितने लोगों का हुआ यह सवाल नहीं है, कितने लोगों के खिलाफ वायलेंस और सैबोटेज के चार्जेज है, यह सवाल है।

He has to give the answer.

MR. SPEAKER: The main questio relates to Ticket Checking Staff wh have been suspended or dismissed against whom prosecutions wer launched.

SHRI MADHU LIMAYE: It doe not relate to conviction.

अध्यक्ष महोदय : अभी तो प्रासीक्यूशन तक ही पहुच पाये है।

PROF. MADHU DANDAVATI How many months are required f the hon. Minister to collect the dat You may not protect us, Sir. B please protect the railway workers

MR. SPEAKER: It is not a qu tion of protecting the railway wor ers or yourselves. I am protecti the question. The question is ve categorical.

PROF. MADHU DANDAVAT Please protect the supplementa also—and not only the main que tion.

MR. SPEAKER: Mr. Dhamanka

SHRI DHAMANKAR: There a many cases of railway servants w have been dismissed because th took active part in strike. There a no charges of violence or sabota against them. They have appea to the General Managers, but th cases have been rejected. May know from the hon. Minister wh ther such cases will be treated sy pathetically and those persons w be reinstated as early as possible

SHRI MOHD. SHAFI QURES The figures have been given earli Out of 16,749 employees who w

dismissed or removed from service, 12,000 have already been taken back on appeal. That means, about 85 per cent of those who had appealed have been taken back for duty. 2,500 persons have not appealed. The total number of appeals pending before the railway authorities or the appellate authorities is not more than 2,000.

श्री रामावतार शास्त्री अध्यक्ष जी, इन्होंने सरकार की नीति बार-बार स्पष्ट की है कि जिनके खिलाफ हिंसा और तोडफोड की घटनाओं का सम्बन्ध नहीं होगा, उन सब को ड्यूटी पर ले लेंगी। अभी इन्होंने जो फिगर्स दी हैं उनके अनुसार सस्पेन्ड 5, डिसमिस्ड एण्ड रिमूव्ड 32, तथा 10 आदमी चैकिंग स्टाफ के भी है, जिन पर मुकदमा चल रहा है। मैं यह जानना चाहता हूं—जिन आंकड़ों को आपने अपने वक्तव्य में दिया है—क्या ये तमाम वायलेस और सैबोटेज से सम्बन्धित है? अगर नहीं है तो अब तक इनको वापस लेने में कौन सी कठिनाई हो रही है? अगर इन लोगों ने सैबोटेज और वायलेस किया है तो मेहरबानी करके साफ साफ बतलाइये। लेकिन ये गोल-गोल जवाब दिये जा रहे हैं।

श्री मुहम्मद शफी कुरेशी जिन कर्मचारियों के खिलाफ अदालतों में केसेज है उनके बारे में मेरे लिये कहना कि उनका ताल्लुक सैबोटेज और वायलेस से है—यह कब्लअजवक्त बात होगी, क्योंकि अदालतें शहादत की बिना पर फैसला करेंगी, . . .

अध्यक्ष महोदय : मिनिस्टर साहब, अदालतें पता नहीं क्या फैसला करेंगी, लेकिन आपने किस बिना पर उनको रखा हुआ है?

श्री मुहम्मद शफी कुरेशी : जनाब, मेरे पास इस वक्त टोटल आल इण्डिया फिगर्स है उनके मुताबिक 634 कर्मचारियों के खिलाफ सैबोटेज के चार्जेज हैं . . . 591 कर्मचारियों के खिलाफ सीरियस चार्जेज आफ आब्स्ट्रक्शन: टु रेलवे-वर्किंग है, वायलेस के केसेज 95 है, इस तरह से 1320 केसेज है।

(व्यवधान).

अध्यक्ष महोदय शोर मचाने से कोई मसला हल नहीं होता है।

श्री राजेन्द्र प्रसाद यादव : क्या यह बात सही है कि डीसेन्ट्रलाइज्ड एडमिनिस्ट्रेशन के नाम पर पावर्स डी०एस०एम० को ट्रान्सफर्ट कर दी गई हैं और ये डी०एस०एम० उन पावर्स का दुरुपयोग कर रहे हैं—पर्सनल ग्रज के आधार पर कार्यवाही की जा रही है, इसमें चैकिंग स्टाफ को भी इन्क्लूड कर लिया गया है। जो आदमी वायलेस और सैबोटेज में इन्वाल्व्ड नहीं है, उनको पर्सनल ग्रज के चलते खामखाह परेशान किया जा रहा है। इस तरह के बहुत से केसेज के बारे में हम ने रिप्रेजेन्ट किया है और हमारे दोस्तों ने भी उन मामलों को उठाया है। मैं जानना चाहता हूं कि उन मामलों के बारे में आप क्या करने वाले है? क्या इस तरह का कोई फैसला नहीं किया जा सकता कि जो आदमी वास्तव में सैबोटेज और वायलेस में इन्वाल्व्ड न हो, उन सब को छोड़ देने का आदेश दिया जाय?

श्री मुहम्मद शफी कुरेशी एक बात मेरी समझ में नहीं आती—अगर यह तसव्वुर कर लिया जाय कि जाती जिद की बिना पर किसी पर केस किया गया है—तो अव्वल तो वह इस बात को नहीं मानेगा कि उसने ऐसा किया है। फिर भी हो सकता है कि कुछ ऐसे केसेज हों जो अदालत और जाती-जिद की बिना पर किये गये हों, मैं उन केसेज पर गौर करने को तयार हूं, आप मुझे बतलाये और अगर सही साबित होंगे तो उनके खिलाफ कार्यवाही की जायगी।

श्री अटल बिहारी वाजपेयी : क्या यह सच है कि कुछ रेलवे कर्मचारियों को जिन्हें हड़ताल में भाग लेने के कारण नौकरी से

निकाला गया था, जब हाई कोर्ट में उन्होंने अपील की तो उनकी अपील स्वीकार कर ली गई और रेलवे मंत्रालय को कहा गया कि उनको काम पर वापस ले लिया जाय। क्या यह भी सच है कि रेलवे मंत्रालय हाई कोर्ट के आदेश का पालन नहीं कर रहा है और सुप्रीम कोर्ट में जाने की तैयारी कर रहा है? मैं पूछना चाहता हूं कि इसकी क्या जरूरत है? उन्हें हाई कोर्ट के फैसले के अनुसार काम पर वापस क्यों नहीं लिया जाता?

श्री मुहम्मद शफी कुरेशी : रेलवे के महकमे को भी आईन के मुताबिक हक है कि फैसले के खिलाफ अपील करे। अगर हम ने हाई कोर्ट के फैसले के खिलाफ सुप्रीम कोर्ट में अपील की है तो इसमें कोई खिलाफ-कानून काम नहीं किया है।

Import of Soda Ash

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*286. SHRI D. P. JADEJA:
SHRI VEKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Soda Ash is being imported;

(b) if so, the quantity imported during the last three years, year-wise; and

(c) the names of the countries from which it was imported?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Yes, Sir.

(a) and (c). A statement is laid on the Table of the House.

Statement

The quantity of soda ash imported during the last three years and the names of countries from which it was imported are as follows:—

Year	Quantity Tonnes	Country
1972-73	1780	Romania
	2491	Kenya
	4271	
1973-74	2500	Romania
1974-75	2500	Romania

SHRI D. P. JADEJA: Considering the fact that India has been a principal exporter of industrial salt and that being the basic raw material for soda ash, may I know when the Government expect our country to become self-sufficient in soda ash?

SHRI C. P. MAJHI: The production of soda ash actually has not picked up according to the requirements of our country in the past and in fact, we have in the meantime increased our capacity and we have now been importing only a very small quantity of soda ash. In the Fifth Five Year Plan we expect to meet the requirements of our country and we will also be able to export some quantity.

SHRI D. P. JADEJA: The hon. Minister said that in the Fifth Five Year Plan we will become self-sufficient. May I know whether in this country it is only the Tatas, Birlas and the Sahu Jains who are manufacturing soda ash and on the Gujarat coast which produces almost 50 per cent of the industrial salt, has the Government done anything to encourage the co-operative sector or other industrial units to manufacture soda ash?

SHRI C. P. MAJHI: It is a historic fact that the production of soda ash has been confined only to the private sector. But we have now issued letters of intent to the Industrial Development Corporations and we are also encouraging co-operatives and if any specific proposal comes, we will certainly consider that.

SHRI VEKARIA: I am happy to know that the Government expect that the country will become self-sufficient in soda ash within the next five years. I would like to know how many applications are pending before the Ministry for the expansion of the existing industries and for setting up new units and what time it will take to dispose of these applications.

SHRI C. P. MAJHI: We have also received applications for expansion of the present units and as a matter of fact, for the expansion of the Saurashtra Chemicals by 1 lakh tonnes a letter of intent has been granted and it is likely to be implemented by 1975-76 and the expansion of M/s Dharangadhara Chemicals by about 15,000 tonnes will be completed by 1974-75.

SHRI P. M. MEHTA: I would like to know from the hon. Minister whether he is aware of the fact that there is acute shortage of soda ash and soda ash is sold in black market at very high prices and actual consumers are deprived of the same. I would also like to know what distribution system the Government propose to set up to avoid this black-marketing and I would also like to know whether any decision has been taken to give priority to consumer co-operative stores for supply of soda ash and whether the Government instructions are carried out or bypassed by the concerned industries to supply soda ash to consumer co-operative stores.

SHRI C. P. MAJHI: The Government have not actually received any sort of complaints regarding sale of soda ash in black market. So far, the supply of soda ash is not very unsatisfactory....

SHRI VAYALAR RAVI: How can he say that? It is unsatisfactory. I can prove.

MR. SPEAKER: He is asking the question and the Minister is answering it Leave it to them.

SHRI P. M. MEHTA: Perhaps the Minister has not understood my question. I will repeat my question.

I would like to know from the hon. Minister whether there is an acute shortage of soda ash and whether he is aware of the fact that soda ash is sold at a very high price in the black market and whether any decision has been taken for any distribution system and to distribute soda ash through consumer co-operative stores.

SHRI C. P. MAJHI: We have taken a decision to distribute it through some agencies....

MR. SPEAKER: His point was whether it has come to your knowledge that it is being sold in black-market. Is there any such thing?

SHRI C. P. MAJHI: It has not come to our knowledge. The point is this, 50 per cent of the same is sent to the consumer industries and 50 per cent is sold in the open market.

MR SPEAKER: He has asked whether it has come to your knowledge that this soda ash is bemg sold in the black-market. If it is sold, if it is a fact, then, whether you have any proposal for proper distribution of this thing.

SHRI C. P. MAJHI: We have not received any complaint regarding supply of this in black-market.

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH) Sir, the fact is that there is a marginal shortage of soda ash and because of this marginal shortage....

(Interruptions)

MR. SPEAKER: Don't go on with your commentary; it is very difficult to listen. Order please.

SHRI K. R. GANESH: There is marginal shortage of soda ash and because of this marginal shortage, 50 per cent of soda ash is directly given by the firms for the manufacturers and consumer industries. Now, Sir, if there is a marginal shortage there is likely to be black-market in the conditions of our economy. Black-market flourishes everywhere! The views of the hon. Member whether a better distribution system can be worked out will be considered by the Government.

MR. SPEAKER: Mr. Vayalar Ravi, I felt like giving chance to you, but you always interrupt others. Now I am giving a chance and you may do whatever you like.

SHRI VAYALAR RAVI: The price of imported soda ash is twice that of the indigenous production. Consumers are not getting this soda ash. Monopoly distributors distribute it as per their whims and fancies whenever factory cannot be commissioned for six months because they could not get this soda ash. Will Government take over distribution of soda ash for the proper users?

SHRI K. R. GANESH: I think I have already indicated that the Government will consider what steps should be taken in seeing that it is properly distributed. At the moment four units are there and three of them are in the western region and one in the eastern region. As far as distribution of soda ash is concerned, the question of transporting this from these regions is one of the factors also which has to be taken into account.

MR. SPEAKER: He gets it from his wife; his information is from his wife!

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D MALAVIYA): Government will have to take notice of that, Sir!

SHRI MOHANRAJ KALINGARAYAR: It has been stated that in the next five-year plan you propose to step up production of soda ash so that we do not have to import this from other countries. Soda ash is supplied by some of the monopoly companies. So, I want to know as to what steps are taken by the Government for expansion of these units Government wants to encourage the cooperative sector. So, I am asking this.

SHRI K. R. GANESH: In the Five Year Plan, so far as development of soda ash is concerned, apart from the expansion of Tata Chemicals at Mithapur, by 1.40 lakh tonnes the following licences as well as Letters of Intent have been given to the Fertiliser Corporation of India for 0.60 lakh tonnes, to Tuticorn Alkalies Ltd., Tamil Nadu, Maharashtra Cooperative Fertilisers, Bombay, Orissa Industrial Development Corporation, Kerala, Bihar and Rajasthan Industrial Development Corporations and Saurashtra Chemicals. As regards expansion, only proposals of two firms are pending at the moment.

बेतिया संसदीय निर्वाचन क्षेत्र में उप-निर्वाचन

*287. **श्री विभूति मिश्र :** क्या विधि, न्याय और कम्पनी कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या स्वर्गीय पंडित कमल नाथ तिवारी के निधन के बाद बेतिया संसदीय निर्वाचन क्षेत्र मे उप-चुनाव कराने की तिथि निर्धारित कर दी गई थी;

(ख) क्या कई आरम्भिक बातें पूरी करने के बाद मतदान की निश्चित तारीख से पूर्व ही चुनाव स्थगित कर दिया गया था; और

(ग) चुनाव स्थगित किये जाने के क्या कारण हैं ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (c) The Election Commission had notified the bye-election from the Bettia Parliamentary Constituency with 18th July, 1974 is the date of poll.

However, the Commission received several representations from political parties, such as Bhartiya Jana Sangh Bihar, President, Bihar Pradesh Congress Committee, C.P.I. Bihar State Council, General Secretary, All India Congress Committee and from Shri A. B. Vajpayee, M.P. and others, some of them urging postponement of the bye-election on the ground that the situation in Bihar was not conduci

to the holding of free and fair election and that the constituency would also be water-logged during that period of the intended election it would prevent many voters from exercising their franchise. After consideration of the aforesaid representations and taking into account the imminence of the monsoon which would affect electioneering to a great extent and would even render it impossible, the Commission decided to cancel programme for the proposed by-election. The Commission's notification cancelling the programme was issued on 24th June, 1974.

श्री विभूति मिश्र : इलैक्शन कमीशन में जो लोग हैं उनको सारे देश की ज्योग्राफी का ज्ञान होना चाहिये । नामिनेशन्ज के लिए डेट तय कर दी गई । एप्लीकेशन्ज दाखिल कर दी गई। वे यही हैं वह भी तय कर दिया गया । वापिसी की डेट भी तय कर दी गई । मतदान की तारीख 18 जुलाई भी तय कर दी गई । उसके बाद इस चुनाव को स्थगित कर दिया गया । इन सब लोगो ने जो आपको एप्रोच किया वह इस सारी कार्रवाई होने से पहले किया या बाद से किया ?

डा० सरोजिनी महिषी सारी कार्यवाही होने के बाद एप्रोच किया ।

श्री विभूति मिश्र : मैं उस इलाके से आता हू । वहा 200 बूथ पानी मे रहेगे । जिलाधीश ने आपको लिखा था कि पानी वहा रहेगा और गावो मे आना जाना मुश्किल होगा । इलैक्शन कमीशन से मैंने कहा था कि कठिनाई होगी इस वास्ते इस इलैक्शन को स्थगित कर दिया जाए । लेकिन मेरे प्रस्ताव को नही माना गया । फिर भी इलैक्शन कमीशन ने सारी कार्रवाई की । सारी कार्रवाई करने के बाद इलैक्शन कमीशन ने इस इलैक्शन को स्थगित किया । जब विरोधी दलो को मालूम हुआ कि चुनाव मे ये नहीं जीत सकेंगे इस वक्त और उन्होने कहा कि इसको स्थगित कर दिया जाए तभी इसको स्थगित कर दिया गया क्या यह सही है ?

डा० सरोजिनी महिषी : आखिर में जो पूछा है वह सही नही है, सभी राजनीतिक दलों ने जब उसके लिए प्रार्थना की और अपने रिप्रिजेंटेशन भेजे उसके बाद ही यह फैसला किया गया ।

श्री विभूति मिश्र : जब हम लोगो ने कहा कि चुनाव को बन्द कर दो तब इलैक्शन कमीशन ने बन्द नही किया । लेकिन जब वाजपेयी जी ने कहा, विरोधी पार्टी के लोगों ने कहा तो बन्द कर दिया । क्या इलैक्शन कमीशन जनसघ के कहने पर चलता है, उसके कहने पर इलक्शन करवाता या बन्द करता है ?

डा० सरोजिनी महिषी अभी बताया है किसी एक के कहने पर कभी इलैक्शन न बन्द और न शुरू होता है । सभी पार्टियो की प्रतिक्रिया जब आ गई उसके पास तभी उसको इसको बन्द करना पडा ।

श्री अटल बिहारी वाजपेयी मैं वह कच्चा चिट्ठा नही खोलना चाहता कि दीक्षित जी ने किस तरह मुझे फोन किया और उनके कहने पर मैंने चिट्ठी लिखी । मैं उसमे जाना नही चाहता हू । सवाल सीधा सा है । जुलाई मे बिहार में बरसात होती है। क्या बरसात मे उपचुनाव करना इलैक्शन कमीशन की नीति के अनुरूप है । बरफ या बरसात मे चुनाव या उपचुनाव नही कराए जाते हैं तो फिर बिहार मे बरसात मे यह उपचुनाव क्यो तय किया गया, क्या इलैक्शन कमीशन से इस बारे मे कुछ आपने पूछा है ?

डा० सरोजिनी महिषी : इसका जवाब देने की जरुरत क्या है ? इलैक्शन कमीशन को सब ज्ञान है और यह भी मालूम है कि बरसात मे नही करते हैं । बतलाने की जरूरत नही है । इसीलिये पोस्टपोन किया गया है ।

श्री अटल बिहारी वाजपेयी : अध्यक्ष जी आप भी चुनाव लड चुके हैं...

अध्यक्ष महोदय : मैं तंग आ गया हूं ।

श्री अटल बिहारी वाजपेयी : क्या बरसात में बाई इलक्शन होना चाहिये ।

अध्यक्ष महोदय : अगर आपके माफिक हो तो होना ही चाहिये । अगर कोई जीत सकता हो तो होना ही चाहिये ।

श्री अटल बिहारी वाजपेयी : हम नहीं चाहते हैं किसी के माफक हो. . .

श्री जगन्नाथ मिश्र : बेतिया का उप-चुनाव जिस स्थिति में स्थगित किया गया वह सदन को स्पष्ट हो चुका है । इस परिपेक्ष्य में मैं मन्त्री महोदया से यह जानना चाहता हूं कि बिहार में और जो विधान सभा के स्थान रिक्त पड़े हैं उन सहित बेतिया का ससदीय उप-चुनाव सरकार का कब कराने का विचार है?

MR. SPEAKER: This is a hypothetical question; I am not allowing it.

श्री मधु लिमये : विगत साल ध्यान आकर्षण के नोटिस पर कई उप-निर्वाचनो मे विलम्ब क्यो किया जा रहा है यह प्रश्न उठाया गया था और उसका जो ब्यौरा कानन मन्त्री ने दिया था उसमें उन्होने एक बडा कारण यह बताया था प्रतिकूल मौसम, वर्षा, तो मैं जानना चाहता हूं कि बिहार में वर्षा काल में यह उप-चुनाव तय करने का कारण क्या है ? क्या यह बात सही है कि प्रधान मत्री के दबाव पर एलेक्शन कमीशन ने ये तारीखे तय की क्योंकि वह जयप्रकाश जी की चुनोती को स्वीकार करना चाहती थी ? . . . (व्यवधान) . . . यह वही जानकारी है । अगर गलत है तो वे इन्कार करें । क्या प्रधान मन्त्री के दबाव के कारण यह हुआ था ? नही तो पहले ये तारीखें क्यों तय की गई ?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): As the hon. Member knows, although the question refers to a parliamentary vacancy, at that time there were about 20 other vacancies in the Assembly constituencies. Now there are more; I am told it is 43. Now this was a period just prior to the presidential election. The Election Commission was told by so many people that a substantial number of voters from Bihar should not be deprived of the right of vote and on that basis, they thought that if there were so many vacancies in the Assembly, it was better to hold the election so that they would be able to vote in the presidential election. But when it appeared that there was a consensus —I am not excluding the Congress Party also.

SHRI JYOTIRMOY BOSU: It is clear they are taking recourse to all sorts of money tricks.

SHRI H. R. GOKHALE: There is no trickery in this. I was asked to give facts and I am giving them. It was not only the advice of Shri Vajpayee or the demand of the Jan Sangh or the Socialist Party; I have also to mention ed the AICC, the local Congress Committee and the CPI also. Nearly all the political parties had said that it should not be held and the Commission responded to that suggestion.

श्री मधु लिमये : इतना लम्बा उत्तर आया लेकिन मेरा प्रश्न बहुत छोटा था कि क्या प्रधान मन्त्री के दबाव के कारण यह तारीखे तय की गई वर्षा काल के बावजूद ? मुझे जवाब चाहिए . . . (व्यवधान) . . . आप कैसे रूल आउट कर सकते हैं । किस आधार पर आप मेरे प्रश्न को डिसएलाउ कर रहे है ? वर्षा काल मे साधारण तौर पर, चुनाव नही होते, तो क्या प्रधान मन्त्री के दबाव से ये तारीखें तय की गई ?

SHRI H. R. GOKHALE: I have answered it.

श्री मधु लिमये : अध्यक्ष महोदय, मेरा सवाल कुछ दूसरा था । मैंने कहा कि वर्षा काल में तारीखें क्यों तय की गई ? क्या प्रधान मन्त्री के दबाव से की गई ? प्रधान मत्री के ऊपर प्रश्न होगा तो जवाब नही मिलेगा ?

MR. SPEAKER: He has said this was done in view of the consensus.

श्री मधु लिमये : अध्यक्ष महोदय, दूसरों का पोस्टपोनमेंट के लिए था । आप समझे ही नहीं मेरे प्रश्न को । दूसरों का आग्रह पोस्टपोनमेंट के लिए था लेकिन तारीखें तय करने का दबाव प्रधान मन्त्री का था ।

MR. SPEAKER: After the answer, there is no such question arising.

श्री मधु लिमये : मेरा प्रश्न कुछ और था जिसका जवाब नहीं दिया ।

MR. SPEAKER: When all the parties approached them, how can you pick out only one individual. You can say about the others also.

श्री मधु लिमये : मैंने पूछा था कि वर्षा काल में तारीखें क्यों तय की गईं ?

MR. SPEAKER. He has already answered it.

श्री मधु लिमये : इस सदन में प्रश्नों के उत्तर हां नहीं मिलते हैं ?

अध्यक्ष महोदय : उत्तर बड़ा साफ दिया उन्होंने । बहुत क्लीयर उत्तर दिया ।

PROF. MADHU DANDAVATE: Kindly declare that any reference to the Prime Minister is unparliamentary in this House.

MR. SPEAKER: In this case, it is so.

SHRI H. K. L. BHAGAT: I would like to know from the hon. Minister if it is a fact that J. P., Mr. Madhu Limaye's party, Mr. Vajpayee's party and other parties such as Congress (O) had been opposed to the holding of not only this bye-election but all the bye-elections in Bihar? I want to know this from the hon. Minister.... (*Interruptions*).

MR SPEAKER· He has already answered that.

SHRI KRISHNA CHANDRA HALDER: The Election Commission and the Government have postponed the election on 18 July due to floods and rainy season. The rainy season is now over. Why then the date for the Bettiah parliamentary constituency was not fixed? Is it because the people of Bihar are agitating to remove the corrupt Ghaffoor Government and the Government know that they would be defeated and forfeit their candidate's security deposit? Why have they not fixed the date for bye-lection for the Bettiah parliamentary constituency?

MR. SPEAKER: It is not a question; he is giving his information.

SHRI DINEN BHATTACHARYYA The question is whether they are fixing a date or not?

SHRI H. R. GOKHALE: Now that I have heard his question, I can say that the Election Commission know that the situation which was obtaining at that time may no longer be there. The Election Commission has already started with the process of arranging and collecting the necessary material for holding elections.....(*Interruptions*).

श्री जनेश्वर मिश्र : मेरा भी चुनाव जब अब की बार हुआ तब भी बरसात का ही मौसम था और मेरे चुनाव के केवल चार दिन पहले आपके चुनाव आयोग ने ऐलान किया कि बेतिया का चुनाव स्थगित किया जा रहा है । हमारे चुनाव क्षेत्र पर भी इस बात का असर पड़ा कि इलाहाबाद का चनाव भी अब स्थगित हो जायगा । तो आम जनता में भ्रम पैदा करने के लिए और दूसरे नम्बर पर चूंकि बिहार में जयप्रकाश जी का आन्दोलन चल रहा था, आप की हिम्मत नहीं थी कि वहां जनता का मकाबिला करते, दोनों कारणों से क्या आपने वहां एलेक्सन पोस्टपोन किया ?...(व्यवधान)...

MR. SPEAKER: You are expressing your own views without seeking any information. You say this has happened, this has happened and so this is happening. The Question Hour is over now.

WRITTEN ANSWERS TO QUESTIONS

राजस्थान में बीरबल एंव लेंगवाला क्षेत्र में तेल की खोज

*285. श्री लालजी भाई : क्या पेट्रोलियम और रसायन मंत्री राजस्थान में तेल की खोज के बारे में 23 अप्रेल, 1974 के अतारांकित प्रश्न संख्या 7789 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि गोनरुन एंव लेंगवाला क्षेत्र में दो गहरे कुओं की खुदाई के सम्बन्ध में सरकार द्वारा क्या अन्तिम निर्णय लिया गया है ?

पेट्रोलियम और रसायन मंत्री (श्री के० डी० मालवीय) : 22-11-74 को गुमार वाली तलाई कुआ संख्या 2 में व्यधन 2944 मीटरो तक की गहराई तक पहुंच गया था। इस कुए की प्रक्षिप्त गहराई 3500 मीटर है। इस कुए का व्यधन तथा उत्पादन संबंधी परीक्षण हो जाने के बाद, तेल तथा प्राकृतिक गैस आयोग ने राजस्थान में गोनरुन तथा लोजवाला नामक स्थानो पर, अनुक्रम में, 2 गहरे अन्वेषणात्मक कुए खोदने का निर्णय लिया है।

Steps to Improve Train Services on Northeast Frontier Railway

*289. SHRI NOORUL HUDA: Will the Minister of RAILWAYS be pleased to state:

(a) whether his attention has been drawn to the extremely irregular and slow movement of passenger train services in the entire Northeast Frontier Railways;

(b) what steps have been taken to improve the situation; and

(c) the results thereof?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): (a) Sir, the punctuality performance of trains on the Northeast Frontier Railway has not been satisfactory during the period April to September, 1974 primarily due to the May, 1974 strike and its aftermath, floods and breaches due to heavy rains in August and September, 1974 and increased incidence of alarm chain pulling.

(b) and (c). The punctuality of passenger carrying trains is closely watched at all levels and avoidable detentions are analysed and suitable remedial/punitive action taken to improve the running. In case of unavoidable detentions like agitations, alarm chain pulling etc., a close liaison with State Government Authorities at suitable levels is maintained to see that running is not adversely affected. The punctuality performance on Northeast Frontier Railway has shown improvement during September and October, 1974 and efforts are being made to sustain this trend.

Scheme to Modify Barauni Refinery

*290. SHRI M. S. PURTY:
SHRI N. E. HORO:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to stae:

(a) whether the scheme to modify the Barauni refinery to take in the imported crude has been dropped; and

(b) if so, the reasons therefor?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K. D. MALAVIYA): (a) and (b). This scheme has since been abandoned in view of the increased availability of indigenous crude oil.

Dacoities on Trains between Kharagpur and Bhubaneswar

*291. SHRI ARJUN SETHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether incidents of dacoities are on the increase in the trains between Kharagpur and Bhubaneswar, (South Eastern Railway);

(b) if so, what steps Government have taken to safeguard the security of the passengers in the trains; and

(c) whether the desired results have been achieved by such arrangements?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) and (c). Do not arise.

Racket involving loading of wagons with Coal from Jharia and their Transportation to points close to Pakistan Borders

*292. SHRI MADHU LIMAYE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have been informed of the racket involving loading of wagons with coal from the Jharia Coal field, their transportation to points close to Pakistan borders in Punjab-Rajasthan area, their unloading at those points, and smuggling out the unloaded coal into Pakistan by trucks and other means;

(b) the total quantities discovered to have been smuggled out under this racket;

(c) whether the help of the Centre's investigation agencies was sought and given in this matter;

(d) the list of the Railway officers involved; and

(e) whether it is a fact that they were transferred and later on promoted and none was either dismissed or removed for his involvement in this racket?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): (a) No, Sir.

(b) to (e). Do not arise.

Installation of Close Circuit Television System at Railway Stations

*293. SHRI DHAMANKAR:
SHRI VASANT SATHE:

Will the Minister of RAILWAYS be pleased to state:

(a) whether a Close Circuit Television system of Electronic Corporation of India has been installed at the Secunderbad Railway Station to guide passengers on the movement of trains;

(b) whether there is a proposal to instal Close Circuit Television at other important Railway Stations in the country; and

(c) if so, the particulars of those Stations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No, Sir. However, the Electronic Corporation of India had tried Closed Circuit Television system for 12 days at Secunderabad Railway Station.

(b) and (c). Electronic Corporation of India is continuing with a similar trial at Madras Central Railway Station on the Southern Railway.

Reduction in Price of Oil by certain Arab Countries

*294. SHRI P. M. MEHTA:
SHRI RAMAVATAR SHASTRI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is a move to reduce the price of oil by several Persian Gulf Arab countries;

(b) whether India has requested these countries to reduce the prices of oil to prevent worsening of the world economic crisis; and

(c) whether any reasonable reduction has been made by these countries if so, to what extent and how far will this benefit the Indian economy?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K D MALAVIYA) (a) At a recent meeting of the Gulf Oil producing countries Saudi Arabia, United Arab Emirates and Qatar have decided as follows —

1 To lower the crude oil posted prices by 40 U S cents per barrel with effect from November, 1, 1974

2 To raise the rate of royalties to 20 per cent

3 To raise the rate of income tax applicable to the oil companies to 85 per cent

The revised price formula will be effective upto the end of July 1975

(b) No, Sir

(c) With the decision mentioned at (a) above the foreign oil companies in India have intimated increase in their prices with effect from 1 11 1974 in the case of Exxon and Caltex and from 14 11-1974 in the case of Burmah Shell Hence the question of any immediate benefit to India does not arise

Production and Price of Oil in Relation to its Consumption

*295 SHRI RAJDEO SINGH Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether oil production had been exceeding consumption by about 1 5 million to two million barrels a day since the jump of the prices from $1 80 a barrel in 1970 to $11 65 a barrel in January of 1974,

(b) whether inspite of the supply exceeding the demand, prices have not come down particularly when production has not been cut down, and

(c) whether since the abnormal rise of prices of Arabian crude, India has cut down its import from those countries and if so, the percentage thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K D MALAVIYA) (a) The figures of world oil production and consumption for the period 1970 to 1973 show that oil production has been exceeding the oil consumption The year-wise figures upto 1973 are as under —

Million barrels a day

Year	Production	Consumption	Excess of production/consumption
1970 .	48 77	46 26	2 51
1971 .	50 32	48 89	1 43
1972 .	52 98	52 47	0 51
1973	57 71	56 43	1 28

(Source BP Annual Statistical Review)

(b) The prices of crude oil do not always bear a direct relationship to the concept of demand and supply

(c) There were steep increases in the prices of crude oil in October, 1973 and January 1974 The imports during the current year are estimated to be of about the same order as during last year In absolute terms there has been no reduction imports from the Arabian countries during the current year as compared to the last year

Allocations for New Lines in Hilly and Backward States

*296 PROF NARAIN CHAND PARASHAR Will the Minister of RAILWAYS be pleased to state

(a) the exact route Kilometreage for all the 3 Gauges (broad metre and narrow) in each one of the States of India separately as on the 31st March, 1974,

(b) the additions made in this Route Kilo-metreage during the past three years, separately for each gauge in each State, considering the States as constituted at present, and

(c) whether it is proposed to make more liberal allocations for new lines in the case of Hilly and Backward States which have remained neglected so far?

THE MINISTER OF RAILWAYS (SHRI L N MISHRA) (a) to (c) A Statement giving the required information is laid on the Table of the Sabha [*Placed in Library See No LT-8632/74*]

Short Fall in Production of Gas by I O C

*297 SHRI MUKHTIAR SINGH MALIK Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether there has been a short-fall in the production of liquefied petroleum GAS (Indane) produced by the Indian Oil Corporation, and

(b) if so, the reasons for short-fall?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K D MALAVIYA) (a) and (b) There has been no short-fall in production of LPG from its refineries by the Indian Oil Corporation Targets fixed for sale actual production from the refineries of which the products are sold by IOC and the actual sales of Indane Gas for the last 3 years are as follows —

YEAR	TARGET (MT)	ACTUAL LPG PRODUCTION (MT)	(INDANE) SOLD (MT)
1971-72 .	54,166	53.527	50,439
1972-73 .	81,117	83,930	78,735
1973-74 .	108,200	106,906	99,312

Although there has been a substantial increase in the marketing of domestic gas in each year compared with the previous year, short-fall in actual sales against targets during these years was mainly due to the inadequate availability of cylinders and seasonal short-fall in upliftment due to operational reasons and breach of rail/road transport, etc

Cost of Coal-based Fertilizer Plants

*298 SHRI K LAKKAPPA
SHRI BANAMALI BABU

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the cost of each coal-based fertiliser plants proposed to be set up in the Fifth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH): Three public sector coal based fertilizer projects are under implementation at Talchar (Orissa) Ramagundam (Andhra Pradesh) and Korba (Madhya Pradesh) While the plant at Ramagundam is estimated to cost about Rs 137 crores, the plants at Talcher and Korba are expected to cost about Rs 143 crores and Rs 150 crores respectively

Robberies in Trains during August 1973—August 1974

*299 SHRI KRISHNA CHANDRA: Will the Minister of RAILWAYS be pleased to state.

(a) the number of robberies occurred in trains during August 1973—August 1974, Statewise.

(b) the number of persons arrested so far in this connection; and

(c) the steps taken to prevent such incidents?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and b).

State	No. of cases of robberies	No. of persons arrested
Andhra Pradesh .	35	55
Assam . . .	.	..
Bihar . . .	56	54
Delhi . . .	1	
Gujarat . . .	5	3
Haryana . .	3	6
Himachal Pradesh .	..	..
Kerala . . .		
Madhya Pradesh .	25	24
Maharashtra . .	61	64
Mysore . . .		..
Orissa . . .	3	1
Punjab . . .	7	19
Rajasthan . .	17	2
Tamil Nadu . .	5	2
U. P. . . .	73	90
West Bengal . .	80	164

(c) "Policing including Railway Police" being the responsibility of the States under the Constitution, measures for prevention of robberies in running trains have to be taken by State Governments. The State Governments are taking the following steps for prevention of this type of crime:

(i) Escorting of important trains;

(ii) shadowing of suspects by armed Policemen in plain clothes in West Bengal area;

(iii) Posting of regular beat patrols on station platforms and in waiting halls for keeping surveillance over criminals and known bad characters.

(iv) Vigorous investigation of offences and prosecution of crimiials coming to light;

(v) action against known and habitual criminals under the preventive laws where adequate material is available.

Vacant Posts of Judges in High Courts

*300 SHRI BIRENDER SINGH RAO:
SHRI ATAL BIHARI VAJPAYEE.

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the number of vacancies of Judge in each High Court of the country as on the 30th October 1974, State-wise;

(b) since when these posts have been lying vacant;

(c) the reasons for the delay in filling up these vacancies; and

(d) how much time will be taken to fill up these vacancies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) to (d). A statement is placed on the Table of the House. [*Placed in Library. See* No. LT-8633/74].

ठेकेदारों द्वारा रेलवे पुलों के निर्माण में घटिया और मिलावटी सीमेन्ट का कथित उपयोग

*301. श्री घन शाह प्रधान : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्हें मालूम है कि ठेकेदारों द्वारा रेलवे पुलों और रेल-रेल-सड़क पुलों के निर्माण में घटिया और मिलावटी सीमेंट का उपयोग किया जाता है;

(ख) यदि हां, तो गत तीन वर्षों में ऐसे कितने मामलों का पता लगा; और

(ग) इसे रोकने के लिए क्या उपाय किये गये है ?

रेल मंत्रालय में उप-मंत्री (श्री बूटा सिंह) : (क) जी नहीं।

(ख) कोई नही।

(ग) प्रश्न नही उठता।

सहारनपुर तथा पिलखनी रेलवे स्टेशनों की बीच सामान चुराने वाला गिरोह

*302. **श्री मुल्की राज सैनी :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सहारनपुर जिले मे सहारनपुर तथा पिलखनी रेलवे स्टेशनो के बीच सामान चुराने वाला गिरोह सक्रिय है, और

(ख) इसे रोकने के लिए सरकार का विचार क्या कार्यवाही करने का है ?

रेल मत्रालय में राज्य मंत्री (श्री मुहम्मद शफ़ी कुरेशी) : (क) जी नही। इस खण्ड पर कोई पिलखडी स्टेशन नही है सम्भवत माननीय सदस्य का आशय "पिलखानी" से है।

(ख) नवम्बर, 1973 से इस खण्ड पर सहारनपुर और पिलखानी के बीच रेलवे सुरक्षा दल के मशस्त्र कर्मचारियो द्वारा पहले से ही गश्त लगायी जा रही है और अन्य किसी कार्रवाई की आवश्यकता नही समझी जाती।

Removal of Substitutes under Loco Foreman, Patherdih from Service by D.S., Dhanbad

*303 SHRI BHOLA MANJHI: Will the Minister of RAILWAYS be pleased to state.

(a) whether a good number of substitutes under Loco Foreman, Patherdih were removed from service by D S, Dhanbad on 10th May, 1974 and thereafter during last Railway strike on the plea that their guardians were not coming to duty;

(b) whether it was the policy and directive of Government to take such action; and

(c) if not, the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No, Sir.

(b) and (c) Do not arise.

पैट्रोल के स्थान पर ईंधन तेल के उत्पादन के लिये योजना आयोग का सुझाव

*304. **श्री नाथूराम अहिरवार :** क्या पैट्रोलियम और रसायन मत्री यह बताने क. कृपा करेगे कि :

(क) क्या योजना आयोग ने पैट्रोल के स्थान पर ईंधन तेल के उत्पादन का सुझाव दिया है, और

(ख) यदि हा, तो ईंधन तेल के उत्पादन के सम्बन्ध मे सरकार की योजना की मुख्य बाते क्या है ?

पैट्रोलियम और रसायन मत्री (श्री के० डी० मालवीय) : (क) जी नहीं।

(ख) उपर्युक्त (क) को ध्यान मे रखते हुए प्रश्न नही उठता।

Final Survey of Bombay-Mangalore Railway Line

*305. SHRI P. R. SHENOY: Will the Minister of RAILWAYS be pleased to state:

(a) the steps taken to conduct the final survey of the proposed Bombay-Mangalore Railway line;

(b) the progress of earth work undertaken between Apta and Dasgaon as part of this proposed line; and

(c) the attitude of the Planning Commission to include this project in the Fifth Five Year Plan?

THE MINISTER OF RAILWAYS (SHRI L N MISHRA) (a) Final Location Survey between Apta and Dasgaon has since been completed and the reports are under examination The Final Location Survey between Dasgaon and Ratnagiri including spot checks on the previous survey between Ratnagiri and Mangalore has also been sanctioned and is in progress

(b) Earthwork on the Apta-Dasgaon portion of the Konkan Railway Project was taken up during 1973 as a drought relief measure and was executed by the Maharashtra State Government at their cost Out of total quantity of 18 90 lakhs cubic metres of earthwork, 1 07 lakh cubic metres was completed by the State Government The work was suspended by the State Government on 15-6-1973 as the drought conditions improved

(c) The project has been included in the list of railway lines proposed to be taken up during the 5th Five Year Plan for the development of backward areas of the country provided that additional funds are made available for this purpose The funds allotted for construction of new railway lines in the Fifth Plan are insufficient even for completing the works in progress and those required for meeting the demands of the core sector The Planning Commission had been approached for making additional funds available for this purpose but they have been unable to do so on account of the present difficult financial position

Threatened closer of Industries for Non-availability of Furnance and Diesel Oil in Rajasthan

2803 SHRI SHRIKISHAN MODI Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are aware that a large number of medium and small scale industrial units in Rajasthan are being forced to close down due to the non-availability of furnace oil, diesel oil and other oil products, and

(b) if so the measures taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI) (a) and (b) No such reports have been received by the Government Sale of diesel oil from the companies outlets is at present free Furnace oil supplies are however being made by the companies on the basis of 1973 offtakes of individual consumers A 10 per cent efficiency cut is being applied in making furnace oil supplies to all consumers A further 10 per cent cut is also being made in supplies to industrial consumers other than the 33 specified core sector industries A quota has also been allocated to the States for supplies to small scale units and State Enterprises which are not registered with any Central sponsoring authorities

Foreign Companies Marketing Products of Small Units

2804 SHRI SURENDRA MOHANTY Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No 3676 on the 27th August 1974 regarding Foreign companies marketing products of small units and state

(a) whether the requisite information has since been collected,

(b) if so whether he would lay it on the Table of the House, and

(c) if not, when he is expected to do so?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH) (a) to (c) Efforts are being made to collect the information and it will be laid on the Table of the House as soon as possible

अहमदपुर, खेगांव, मोरदड़ और सिरी (मध्य प्रदेश) के रेलवे क्रासिंग फाटक

2805. **श्री गंगा चरण दीक्षित :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य रेलवे स्थित मध्य प्रदेश के पूर्व निमाड़ जिले के अहमदपुर, खेगांव, मोरदड़ और सिरी के रेलवे क्रासिंग फाटक आवागमन हेतु खोले नहीं जाते जिससे ग्राम निवासियों तथा अन्य नागरिकों को बड़ी असुविधा का सामना करना पड़ता है; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

रेल मंत्रालय में उप-मंत्री (श्री बूटा सिंह): (क) मध्य रेलवे पर इन क्षेत्रों में स्थित सम्बन्धित समपार यातायात के लिए खोल दिये गये हैं।

(ख) प्रश्न नहीं उठता।

Shortage of Petrol, Diesel and Kerosene in Gujarat

2806. SHRI D. D. DESAI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there has been acute shortage of petrol, diesel and kerosene during the last quarter in Gujarat;

(b) if so, reasons therefor; and

(c) steps taken by the Central Government to supply the quota fixed for the State?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). There have been no reports of any shortage of petrol or diesel anywhere in the country including Gujarat during the last quarter. No State-wise allotments of these products are also being made. Supply of diesel oil is at present free and supplies have been increased by oil companies in the different States to the extent required. Quotas of kerosene to the States were, however, reduced to achieve economy in consumption. In some months the cuts were to the extent of 30 per cent. It is likely that this may have given rise to shortage of kerosene in certain areas. However, during the last quarter despatches of kerosene to Gujarat State have been more than the allocations. From the month of November, 1974 kerosene allocations have been increased by reducing the overall cuts to about 10 per cent. For Gujarat kerosene allocation in November was increased to 23,024 MTs against 19,550 MTs in October. In December, the allocation for Gujarat has been increased further to 25,316 tonnes.

Repairs and Expansion of Railway Station in Punjab

2807. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether some of the Railway stations in Punjab need repairs and expansion;

(b) if so, whether Central Government have granted funds therefor during the current year; and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) For the existing level of traffic, major expansion of Railway station buildings in Punjab State is not considered necessary. However, certain proposals for providing improved passenger amenities as indicated in reply to part (c) are in progress.

Periodic maintenance and repairs which are necessary are carried out regularly as a normal practice on the entire Railway system.

(b) Funds for maintenance and repairs are provided every year and this year also funds for this purpose have been provided.

Funds have also been provided for passenger amenity works for the entire Railway system.

(c) The following passenger amenity works are in progress at various stations in Punjab:—

1. *Bhatinda*

Extension of shelter on platform.

2. *Ludhiana*

Provision of IRS Covering on platform.

3. *Jullundur City*

Provision of passenger platform shelter on platform.

4. *Beas*

Extension of platform shelter on down platform.

5. *Patiala*

(i) Provision of shed on island platform.

(ii) Provision of foot over bridge.

Proposal to Improve Facilities at Kazhakootam Station (Kerala)

2808. SHRI VAYALAR RAVI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to improve the facilities for the passengers at the Kazhakootam Railway station in Kerala along with the conversion work of the Ernakulam—Trivandrum Railway line into broad guage line; and

(b) if so, the broad outline of the works proposed to be undertaken?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The works proposed to be undertaken are:

(i) Provision of a new booking office.

(ii) Provision of two new rooms for Signal Branch.

(iii) A room for booking of smalls.

(iv) Extension of the existing rail level platform by 61 metres and raising it.

(v) Provision of a new rail level island platform.

Loss Suffered in Bihar during November, 1974

2809. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) the total loss suffered by the Railways as a result of the Bihar agitation in November, 1974; and

(b) the precautionary measures taken by Government to safeguard the Railway property on such occasions?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Rs. 24,209.

(b) Constant liaison is maintained with the State Governments and with their help, Civil Police, Government Railway Police and Railway Protection Force are posted to safeguard the railway property on such occasions.

Threatened Closure of Industrial Units in Goa for Non-availability of Furnace and Diesel Oil

2810. SHRI PURUSHOTTAM KAKODKAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that a large number of Medium and small scale industrial units in Goa are being forced to close down due to the non-availability of furnace oil, diesel oil and other oil products; and

(b) if so, the measures taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI) (a) and (b) No such reports have been received by the Government Sale of diesel oil from the companies outlets is at present free Furnace oil supplies are however being made by the companies on the basis of 1973 offtakes of individual consumers A 10 per cent efficiency cut is being applied in making furnace oil supplies to all consumers A further 10 per cent cut is also being made in supplies to industrial consumers other than the 33 specified core sector industries A quota has also been allocated to the States for supplies to small scale units and State Enterprises which are not registered with any Central sponsoring authorities

गत तीन वर्षों में पैट्रोल का आयात

2811. **श्री भारत सिंह चौहान :** क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन वर्षों मे भारत ने किन-किन देशो से पैट्रोल का आयात किया है,

(ख) आयातित पैट्रोल की कुल लागत क्या है, और

(ग) इन देशो मे से प्रत्येक देश को भारत द्वारा किये गये भुगतान का तरीका क्या है ?

पैट्रोलियम और रसायन मंत्रालय में उप-मंत्री (श्री सी० पी० माझी). (क) से (ग) गत तीन वर्षों के दौरान भारत द्वारा कोई पैट्रोल (मोटर स्प्रिट) आयात नहीं किया गया था।

Licences issued to Certain Drug Firms

2812 SHRI BHALJIBHAI PARMAR Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) how many letters of intent Industrial licences|permission letters have been granted to M/s. E. Merck, Glaxo, Hoecht and Anglo French during Fourth Five Year Plan period

(b) what are the items covered by each letter of intent|licence|permission letter and capacity of each item thereof,

(c) what is the production of these items by the above firms, and

(d) what action has been taken against them where they have over-produced and contravened the licencing provisions?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH) (a) to (c) A statement indicating permission letters/industrial licences/letters of intent granted to M/s E Merck Glaxo Roche and Anglo French during the 3rd and 4th Five Year Plan period and the item of manufacture, capacity covered under each and production during 1971 and 1972 laid on the Table of the House [*Placed in Library See* No LT-8634/74]

(d) The question of excess production is being examined by Government separately

Restoration of Trains Suspended in Rajasthan

2813 SHRI BISHWANATH JHUNJHUNWALA Will the Minister of RAILWAYS be pleased to state

(a) the names of the Railway services that were suspended and those whose frequencies were reduced in Rajasthan during the Railway strike,

(b) whether all the suspended trains have since been restarted and the frequencies of other trains restored and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (c) The information is being collected and will be laid on the table of the Sabha

Resolutions Passed at Divisional Conference of All India Loco Running Staff Association of Ajmer Division (Western Railway)

2814. SHRI CHANDRIKA PRASAD. Will the Minister of RAILWAYS be pleased to state:

(a) whether a Divisional Conference of All India Loco Running Staff Association of Ajmer Division (Western Railway) was held at Abu road on 16th February, 1974 and resolutions adopted thereat were sent to the General Manager by the Association and also the same were forwarded by some Members of Parliament to the Railway Minister;

(b) if so, the salient features of the resolutions and action taken on each item; and

(c) how much time Government will take in finalising the items referred to in the resolutions?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) and (c) A statement indicating the points raised in the resolution and the position in this respect is laid on the Table of the House. [*Placed in Library. See* No. LT-86-35/74].

Wagons for Sugarcane Growers in Bihar on Metre Gauge Section (North Eastern Railway)

2815. SARDAR SWARAN SINGH SOKHI: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is considerable resentment amongst the sugarcane growers of Silout, Dholi and Pusa in Bihar, on account of the proposed suspension of the movement of wagons on Metre Guage Section of the North Eastern Railway between Samastipur and Muzaffarpur;

(b) whether due to this reason more than 5,000 kisans would suffer a loss of approximately 40 lakhs of rupees because such a huge quantity of sugarcane cannot be transported by trucks alone; and

(c) if so, what immediate steps the Railways propose to take to save the kisans and sugar industry?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). The works in connection with the conversion of the existing metre gauge line between Samastipur and Muzaffarpur into broad gauge will necessitate closing of the section for about a fortnight from the middle of December 1974. It is therefore, not possible to arrange clearance of sugarcane by rail from stations in this area during the ensuing cane crushing season. However, arrangements to clear sugarcane from Silout, Dholi and Pusa Road stations by road have since been made in consultation with the authorities concerned by the Samastipur sugar factory.

Setting up of Railway Workshop at Vijayawada

2816. SHRI VIRBHADRA SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether a proposal is under consideration with Government to set up Railway workshop at Vijayawada;

(b) if so, what is the estimated cost and capacity and whether any foreign assistance will be utilised; and

(c) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) A scheme for setting up a new wagon repair workshop at Vijayawada on the South Central Railway has been sanctioned.

(b) The total estimated cost of the scheme is Rs. 14.83 crores and the workshop has been planned for an annual targetted capacity of 13,600 four-wheeler wagon units.

No foreign assistance will be utilised for setting up this workshop.

(c) Does not arise.

Production and Distribution of L.D.P.

2817. SHRI BISWANARAYAN SHASTRI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is an acute shortage of Low Density Polythene for domestic use and otherwise in the country;

(b) the production capacity of L.D.P. and what is the actual production;

(c) the total quantity of L.D.P. imported during 1973-74; and

(d) the procedure for its distribution and whether the small units have been denied its allocation?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) There is shortage of Thermoplastic Resins including low Density Polythene for some time now as production has not kept pace with the increased demand.

(b) and (c). The details are as follows:—

Name of the firm	Item manufactured	Approved capacity (In metric tonnes)	Production (In metric tonnes)	
			1973	1974 (Jan/Oct)
M/s. Union Carbide India Ltd., Bombay.	LDP	20,000	14754	11016
M/s. Alkali & chemical Corpn. of India Ltd. Calcutta.	LDP	13,000	13118	9648

The total quantity of Low Density Polythene imported during 1973-74 was 3400 Metric Tonnes.

(d) There is no distribution control on Thermoplastic Resins including Low Density Polythene. However, approximately 80 per cent of Low Density Polythene is distributed to Small Scale consumers as against 20 per cent to Large Scale consumers.

Despatch of Urea for Industrial use

2818. SHRI D. B. CHANDRA GOWDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have received complaints about the irregular despatch of Urea for industrial use; and

(b) if so, what steps have been taken by Government to improve the situation?

THE MINISTER OF STATE IN THE CHEMICALS (SHRI K. R. GANESH): CHEMICALS (SHRI K. R. GANESH): (a) and (b). There were some complaints regarding the inadequacy of urea allotted for industrial use. Government have since then allotted an additional quantity of urea in order to meet adequately the estimated requirements of urea for industrial applications.

Production and Requirement of Soda Ash

2819. DR. RANEN SEN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the quantity of soda ash produced in India and by whom; the country's requirement thereof and the quantity imported:

(b) whether there is any control over price or distribution of it and

how small scale silicate manufacturers get their supply, and

(c) if so, its present price per tonne and as was on 1st April, 1974

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH) ((a) Required information is given below —

	(Lakh tonnes)
(I) PRODUCTION IN 1973	
(i) M/s Tata Chemicals Ltd, Mithapur (Gujarat)	2 22
(ii) M/s Saurashtra Chemicals Porbander (Gujarat)	1 70
(iii) M/s Dharangadhra Chemicals Works Dharangadhra (Gujarat)	0 57
(iv) M/s Sahu Chemicals (The New Central Jute Mills Co Ltd) Sahupuri, Varanasi (U P)	0 20
TOTAL	4 69
(II) ESTIMATED REQUIREMENT	5 00
(III) IMPORTS MADE IN 1973	0 015

(b) There is no control over price and distribution of soda ash However the small scale silicate manufacturers receive most of their supplies direct from the manufacturers of soda ash

(c) Does not arise

Political Parties in India

2829 SHRI SHANKER RAO SAVANT Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the conditions which the political parties are required to fulfil for being recognised by the Election Commission of India as (i) National parties and (ii) State parties,

(b) the names of all the National parties and the State parties together with the symbols assigned to each of them,

(c) whether the newly formed Bharatiya Lok Dal has been recognised as a political party, and

(d) if so, since when and what symbol has been assigned to it?

THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (DR SAROJINI MAHISHI) (a) The conditions which the political parties have to fulfil for being recognised as National Parties and State Parties are laid down in paragraph 7 read with paragraph 6, of the Election Symbols (Reservation and Allotment) Order 1968

(b) A statement containing a list is placed on the Table of the House

(c) and (d) An enquiry as contemplated under Paragraph 16 of the Election Symbols (Reservation and Allotment) Order aforesaid to decide whether the Bharatiya Lok Dal party should be a National party or a State party and the symbol to be allotted to it is being conducted by the Election Commission

Statement

LIST OF RECOGNISED PARTIES AND THE SYMBOLS RESERVED FOR THEM

I NATIONAL PARTIES

Name of the Party	Symbol reserved
1 Indian National Congress	Calf and Cow
2 Indian National Congress (Organisation)	Charkha being plied by a woman
3. Akhil Bharatiya Jana Sangh	Lamp

Name of Party	Symbol reserved
4. Communist Party of India	Ears of Corn & Sickle
5. Swatantra Party	Star
6. Socialist Party	Tree
7. Communist Party of India (Marxist	Hammer, Sickle and Star
II. STATE PARTIES	
1. Vishal Haryana Party	Rising sun
2. Akhil Bharatiya Arya Sabha	Swastik within a Circle
3. Indian Union Muslim League	Ladder
4. Kerala Congress	Horse
5 Revolutionary Socialist Party	Spade and Stoker
6. Peasants' & Workers' Party	Cart
7. Manipur Peoples' Party	Bicycle
8. All-Party Hill Leaders' Conference	Flower
9. Nagaland Nationalist Organisation	Mithun
10. United Democratic Front	Cock
11. Orissa Jana Congress	Scales
12. Utkal Congress	Water Wheel and Plough
13. Shiromani Akali Dal	Scales
14. Dravida Munnetra Kazhagam	Rising Sun
15. Bharatiya Kranti Dal	Haldhar
16. Maharashtrawadi Gomantak	Lion
17. United Goans (Sequeira Group)	Hand
18 Mizo Union	Elephant

Capacity of Hindustan Antibiotics for Producing Drugs

2621. SHRI MOHINDER SINGH GILL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Hindustan Antibiotics has the licensed capacity for many a drugs which are scarce in the market but it is not producing these drugs at all or is doing so insignificantly;

(b) if so, the reasons for the same and the steps to be taken to improve the situation; and

(c) whether private firms, Indian and foreign are producing these drugs much over and above their licensed capacities?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). The licenced capacity for drugs which are not being produced at all or insignificantly by

H.A.L., and are scarce in the market, their production during the last three years and reasons for low production are given below

Item	Licensed Capacity	Production (in tonnes)			Reasons
		1972	1973	1974	
				(Jan—Sept.)	
Vitamin C	125 tonnes	..	..	0·139	The installation of Vitamin C plant was completed in March 1973. However, immediately after the installation, the refrigeration unit of the plant developed mechanical problems which could be rectified by the middle of 1974. This was in addition to certain technological operatioanl problems. However, Sorbitol, an intermediate product has been produced @5.6 tonnes p. m. during 1973-74 and @ 15.3 tonnes during April-October, 1974. The last two stages for manufacture of Viatamin C are under stabilisation and production runs in different stages are in progress.
Ampicillin	5000 Kgs.	..	..	0·08	Industrial licence for this product was issued to H. A. L. on 20.3.72 and trial production has commenced in August 1974.

(c) The licensed capacity and production of Vitamin C by private firms and imports effected during the last three years are given below :—

Name of the Party	Licensed Capacity	Production (tonnes)		
		1972	1973	1974
			(Jan—Sept.)	
Sarabhai Chemicals	120 tonnes	204 8	217 6	123·9

	IMPORTS (tonnes)		
	1971-72	1972-73	1973-74
Vitamin C	133 63	280·62	306·00

Allotment of Railway Wagons to Madhya Pradesh Mineral Industry

2822. SHRI R. V. BADE: Will the Minister of RAILWAYS be pleased to state:

(a) whether the State Mineral Industry in Madhya Pradesh is suffering from inadequate supply of Railway Wagons; and

(b) what steps the Madhya Pradesh Government has suggested to the Railway authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) No suggestion has been received from the Government of Madhya Pradesh.

Names of Imported Drugs

2824. SHRIMATI BIDIIA GHOSH GOSWAMI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of drugs which are imported; and

(b) the amounts spent during last 3 years on such imports?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) The names of drugs which are imported through STC are given in the attached statement. Information with regard to other Bulk Drugs imported by actual users is being collected and will be laid on the Table of the House.

(b) The amount spent by STC during last 3 years on their imports are given below:

Year	Rs. crores
1971-72	8·84
1972-73	9·11
1973-74	9·43

As regards others, information is being collected and will be laid on the Table of the House.

Statement

List of items imported by STC

1. Ampicillin Annydrous/Sodium/Trihydrate
2. Calcium D-Pantothenate.
3. Chloramphenicol Palmitate/Powder/Stearate/Succinate Sod.
4. Chloroquine Diphosphate/Sulphate.
5. Citric Acid.
6. Empty Hard Gelatine Capsules.
7. Erythromycin Base/Estolate/Ethyal Succinate/Stearate.
8. Furesamide.
9. Indomethacin.
10. Iodine Crude.
11. L-Base(Active Aminodiol)
12. Methyl Dopa.
13. Nitrofurantoin.
14. D-Panthenol (Pantothenyl Alcohol)
15. Phthalyl Sulphathiazole.
16. Prenylamine Lactate.
17. Sodium D-Pantothenate.
18. Tartaric Acid.
19. Vitamin B6(Pyridine Hcl)
20. Beta and Gamma Picoline.
21. Vitamin C Plain.
22. Amidopyrine.
23. Analgin.
24. Folic Acid.
25. Meta Amino Phenol.
26. Phenobarbitone.
27. Piperazin and its salts.
28. Streptomycin Sulphate.
29. Sulphadimidine (Sulphamethazine).
30. Sulphaguanidine.
31. Tetracycline Base.
32. Tetracycline Hydrocloride.
33. Vitamin BI Hcl (Thiamine Hcl)
34. Vitamin BI Mononitrate (Thiamine Mononitrate)
35. Vitamin BII (Riboflavin)
36. Vitamin BII 5-Phosphate Sodium

Release of Railway Employees Arrested under MISA

2827. SHRI S. M. BANERJEE. Will the Minister of RAILWAYS be pleased to state:

(a) whether six Railway employees arrested under MISA have not yet been released;

(b) if so, reasons therefor; and

(c) whether State Governments have been asked to release them forthwith?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) Only four railway employees arrested in the context of strike of May, 1974 have not been released so far Two of them have been convicted by a court of law and have been dismissed from service The other two arrested under MISA are still under detention

(c) The law has to take its own course

Non-Payment of O.T Arrears to Staff in Delhi Division (Northern Railway)

2828. SHRI K. M MADHUKAR
SHRI RAJDEO SINGH.

Will the Minister of RAILWAYS be pleased to state

(a) whether the Railway Board issued orders for payment of overtime arrear to staff w.e.f 1st January, 1973 on the revised scales of pay,

(b) whether the Railway Administration has received any representation regarding non-payment of overtime arrear to staff in Delhi Division; and

(c) if so, reasons for non-payment of overtime to staff in Delhi Division, steps taken by the Administration for payment of the overtime arrear and the date by which it will be paid?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Yes.

(c) Payment of overtime arrears has commenced and is expected to be completed by 31st March, 1975.

S.C./S T. Principals in Educational Institutes run by Railways

2829. SHRI AMBESH Will the Minister of RAILWAYS be pleased to state

(a) the number of Intermediate Colleges run by the Railways;

(b) the Pay scales given to the Principals of Intermediate Colleges, Higher Secondary Schools and High Schools separately, and

(c) the number of Scheduled Castes/ Scheduled Tribes Principals in Intermediate colleges, Higher Secondary Schools and High Schools, separately?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Three.

(b) The authorised pay scales of Principals of Intermediate Colleges/ Higher Secondary Schools and High Schools are indicated

Intermediate Colleges	Rs. 700—1100.
Higher Secondary Schools	
High Schools	Rs. 400—800.

(c) 1 Principal and 1 Head Master in Higher Secondary Schools; and 1 Head Master in High School belong to Scheduled Caste In the Intermediate Colleges, none belongs to the Scheduled Caste

Additional Quota for Import of Tallow

2830. PROF MADHU DANDAVATE· Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have sanctioned additional quota for import of tallow to the soap manufacturers;

(b) whether Government have any check or guarantee that imported tallow will be exclusively utilised for manufacture of soap; and

(c) if so, the outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) No, Sir.

(b) and (c). In so far as the organised sector is concerned the question does not arise as a decision has been taken that no further import of tallow for manufacture of soap will be made. Imported tallow has been cheaper than indigenous oils in the market.

Writ Petition Challenging Presidential Ordinance on Election Expenses

2831. SHRI B. S. BHAURA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the recent Presidential Ordinance relating to election expenses has been challenged in Delhi High Court through a writ petition filed by a local advocate; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) Yes Sir.

(b). The petitioner has contended that the Presidential Ordinance *inter-alia* violates certain constitutional provisions, including article 14 which guarantees the right to equality.

Views of the Chairman of O & NGC on Oil Prospects in Iraq

2832. SHRI DINEN BHATTACHARYYA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether according to the Chairman of Oil and Natural Gas Commission the prospects for oil from the 'Concessional area' obtained by India in Iraq was very good; and

(b) if so, what are the prospects in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI). (a) and (b). Information is being collected and would be laid on the Table of the House in due course.

Sale of Crude Oil at Lower Price by Nigeria

2833. SHRI R. S. PANDEY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government's attention has been drawn to the reported decision of Nigeria to sell crude oil at a price lower than the market price; and

(b) if so, to what extent India has taken the advantage of their decision?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P MAJHI): (a) and (b). Nigeria is reported to have decided to supply crude oil to African developing countries only at a price lower than that at which it is sold to other buyers.

New Railway Line Connection with Guruvayoor in Kerala

2834. SHRI C. K. CHANDRAPPAN. Will the Minister of RAILWAYS be pleased to state:

(a) whether the survey report has been made available for the construction of a new railway line connecting Guruvayoor in Kerala; and

(b) if so, the salient features thereof and the decision taken thereon?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No. The survey is in progress.

(b). Does not arise.

मद्रास उर्वरक कारखाने का विस्तार

2835. **श्री महा दीपक सिंह शाक्य :** क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार मद्रास उर्वरक कारखाने का विस्तार करने का है, और

(ख) यदि हां तो तत्संबन्धी मुख्य बातें क्या हैं ?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) : (क) और (ख) जी हां। 10 40 करोड रुपये की लागत से प्रति वर्ष 181,500 मीटरी टन यूरिया के उर्वरकों का उत्पादन करने के लिये अतिरिक्त क्षमता स्थापित करने के सम्बन्ध में मद्रास फर्टिलाइजर्स लि० के प्रस्ताव का सरकार ने अनुमोदन कर दिया है।

Cases pending in Orissa High Court

2836 SHRI D K PANDA Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether Government have decided to bring some measures in order to dispose of cases pending in High Courts;

(b) if so, the salient features thereof,

(c) the number of cases pending in Orissa High Court,

(d) whether Government have given directive to expedite the disposal thereof, and

(e) if so, the results thereof?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H R GOKHALE) (a) to (e). The State authorities have been advised to review and refix the Judge strength of the High Courts from time to time taking into account the institutions, disposals and the pendency They have also been advised that action to fill vacancies should be initiated well in advance so as to ensure that the vacancies are filled from the date of occurrence

The High Court Arrears Committee had made some recommendations which are purely of administrative nature aimed at eliminating delay in the disposal of cases The State Governments and the High Courts have been advised that such recommendations be implemented straightaway

The Law Commission had made a number of recommendations for amendment of procedural law in criminal matters Based on those recommendations a new Code of Criminal Procedure has been enacted recently

The Law Commission has also suggested certain amendments to the Code of Civil Procedure 1908 with a view to eliminating minimising delays in civil litigation and thereby reducing costs A Bill for amending the Code of Civil Procedure is before the Parliament

The number of cases pending in the Orissa High Court on 30th June, 1974 was 5 865

Permanancy for Casual Labourers on Indian Railways

2837 SHRI P G MAVALANKAR Will the Minister of RAILWAYS be pleased to state

(a) whether any casual labourers are being made permanent on the Indian Railways, and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) In accordance with the service conditions of casual labourers, they are not made permanent directly They are first engaged against temporary posts and subsequently absorbed against regular

posts, if found fit. They are then made permanent according to their seniority and availability of permanent vacancies.

Proposal to Introduce Fast Trains for Bhopal

2838. SHRI S. C. SAMANTA: Will the Minister of RAILLWAYS be pleased to state:

(a) whether many of the Zonal Railways have provided exclusive trains with termini at State capitals such as Lucknow Mail and Express, G.T. Express, Rajdhani Express terminating at Calcutta and Bombay and if so, what are the reasons that the capital of Madhya Pradesh, namely Bhopal, has been deprived of such facility;

(b) whether Government propose to introduce a fast train terminating at Bhopal, or to provide one more fast train on the trunk route of the Central Railway with termini at Bombay and New Delhi or Delhi; and

(c) the reasons for not increasing the number of train services between New Delhi and Bombay on the Central Zonal Railway, in addition to the Punjab Mail and Amritsar Express which are in existence since nearly half a century?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). No. Passengers to and from Bhopal have also been provided reasonable travel facilities which include three slip coaches running between Bhopal and Delhi/New Delhi, all hauled by important Mail/Express trains. Five pairs of Mail/Express trains running on Delhi/New Delhi-Madras-Bombay routes and a bi-weekly Janata Express on Bombay-Lucknow rute also cater to the needs of Bhopal passengers. Separate quotas have been alloted for passengers originating from Bhopal. Introduction of originating terminating trains from important terminals is done primarily on traffic considerations and availability of resources. However, one pair of express train viz. 35/36 Bilaspur Express is already scheduled to originate/terminate from/at Bhopal.

(b). No.

(c). Introduction of an additional train between Delhi/New Delhi and Bombay V.T. via Bhopal is not at present operationally feasible for want of spare line capacity on sections enroute and requisite terminal facilities at Bombay and Delhi/New Delhi.

Views of the Drug Controller of West Bengal Regarding Shortage of Drugs

2839. SHRI MANORANJAN HAZRA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that the Drug Controller of the West Bengal had admitted that there was a shortage of some kinds of drugs and the existing Drug Price Control Order had some loopholes which led to speculative hoarding of some types of drugs; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). Shortage of certain drugs have been reported from West Bengal. The concerned manufacturers have been requested to rush supplies of drugs in question to the areas from which the shortages have been reported.

The Drug Controller, West Bengal has not pointed out any loopholes in the Drug (Prices Control) Order.

Cases which were not referred to M. R. T. P. Commission

2840. SHRI B. V. NAIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Department of Company law does not refer all cases

of monopolists either for expansion or for setting up new undertakings to the Monopolies and Restrictive Trade Practices Commission, if so, the reasons therefor; and

(b) number of cases not referred to Monopolies and Restrictive Trade Practices Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a). Under the scheme of the Act, it is not mandatory for the Central Government to refer all applications under Chapter III to the M.R.T.P. Commission for inquiry and report. The policy in this regard is explained in para 4 of Chapter I of the Second Report on the Working and Administration of the M.R.T.P. Act, 1969 for the calendar year ended 31st December, 1972 laid on the Table of the House in December, 1973.

(b) 394 notices under section 21 and 141 applications under section 22 were not so far referred to the Commission for inquiry and report. The details of some of such notices/applications disposed of by the Central Government with or without reference to the commission are contained in the 2 annual reports laid before Parliament.

Setting up of Power Plants for Fertilizer Units

2841. SHRI PRABODH CHANDRA:
SHRIMATI SAVITRI SHYAM:
SHRI NAWAL KISHORE SHARMA:
SHRI M. RAM GOPAL REDDY:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have decided to set up independent power plants for fertilizer units in the country; and

(b) if so, the main features and the extent to which the requirements of fertilizer will be met?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). The setting up of captive power plants in fertilizer units is considered on the merit of each case. Captive power facilities are already in existence in certain plants, e.g. Kota, Goa, Coachin and Sindri; captive power facilities are also being developed at Gorakhpur.

Agreement between India and U. S. Automobiles and Oil Companies on Oil Programme

2842. SHRIMATI SAVITRI SHYAM: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether an agreement between the Government of India and the United States automobiles and oil companies has been reached for research programme of oil in India;

(b) if so, the main features of the agreement; and

(c) the time by which the report in this regard is expected to be submitted to Government?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) No, Sir.

(b) and (c). Does not arise.

Decline in Production at Madras Refineries

2843. SHRI YAMUNA PRASAD MANDAL:
SHRI M. RAM GOPAL REDDY:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Madras Refineries production is expected to be far less this year than its installed capacity; and

(b) if so, the reasons therefor and remedial measures proposed?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI). (a). The crude throughput of Madras Refinery during the period from July, 74 to June, 75, which is the financial year of the Company, is expected to be of the order of 2.46 million tonnes as against the designed capacity of 2.5 million tonnes per annum.

(b). The slight shortfall in the throughput is mainly due to the planned shut-down (which takes place once in two years) in September, 74 and Naphtha ullage (shortage) problems due to shut down of Madras Fertilizers Ltd. The upliftment of Naphtha has, however, now improved.

Disposing of Assets by Burmah Shell before Nationalisation

2844. SHRI S. A. MURUGANANTHAM.
SHRI B. S. BHARUA.

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are aware that the Burmah Shell Oil Company has been disposing of its assets in the wake of the move for a possible take over of the Company by the Government;

(b) if so, the facts thereof; and

(c) how will it affect the negotiations for nationalisation?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C.. P. MAJHI): (a) to (c). Burmah-Shell is disposing of some of its assets in India in the ordinary course of business. Burmah-Shell has intimated that the sale-proceeds from the disposal of assets amounted to Rs. 1.08 crores in 1973. These will be taken into account while considering the terms, conditions and all other questions relating to the take-over of Burmah-Shell's assets and operations in India. For the disposal of immovable assets, the Company has to obtain the approval of the Reserve Bank of India under the Foreign Exchange Regulation Act.

Decision to restart trains from Alipurduar to Bamanhat/Gitaldaha

2845. SHRI B. K. DAS CHOWDHURY Will the Minister of RAILWAYS be pleased to state:

(a) whether his Ministry has decided to re-start two pairs of trains, which were cancelled due to short supply of coal, from Alipurduar junction to Bamanhat/Gitaldaha of North east Frontier Railway; and

(b) if not, the reasons for the delay in starting those trains in spite of the fact that coal position has greatly improved in the Railways and he had a so given an assurance that those trains will be re-started after the coal position improves?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b) Two pairs of passenger trains on Alipurduar-Bamanhat section and other services earlier cancelled on the Northeast Frontier Railway have not been restored not on account of shortage of coal but on the basis of traffic justification However, the Northeast Frontier Railway has advised that the traffic pattern is under study on the basis of which it will consider the restoration of these trains.

Loss suffered during Bihar Bandh on 4th November, 1974

2846 SHRI ARVIND M. PATEL Will the Minister of RAILWAYS be pleased to state:

(a) the total loss suffered by the Railways during the Bihar Bandh on the 4th November, 1974;

(b) whether any Railway employee lost his life during the bandh; and

(c) if so, the particulars of compensation paid to his family?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINH): (a) Rs. 17,787/-.

(b) No.

(c) Does not arise.

Promotion of Ministerial Staff of Personnel Branches in Indian Railway

2847 SHRI V MAYAVAN Will the Minister of RAILWAYS be pleased to state

(a) what is the percentage of posts in various grades fixed for the Ministerial staff of the Personnel Branches in the Railways,

(b) when was such percentage fixed and salient features of revisions made thereafter,

(c) the number of Ministerial staff, grade-wise, who have put in more than 10 years of service in the same grade without any promotion, and

(d) whether Government have taken any steps to promote such staff, who have put in service of 10 years or more in the same grade?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) The following percentages are prescribed for distribution of Clerical posts in Personnel and other executive Branches on the Railways :—

Grade			
Athorised Scales of pay		Revised scales of pay	Percentage
(Rs.)		(Rs)	
110-180 . . .		260-400	50
130-300 . . .		330-560	40
210-380 . . .		425-700	8
335-425	. .	Not yet fixed	
350-475	. .	550-750	2
450-575	. .	700-900	
			100

(b) The above percentages were prescribed w e f 1st October, 1962 as a result of acceptance of the recommendations of Justice Sankar Saran s Tribunal and there has been no revision thereof so far

(c) Information is being collected and will be laid on the Table of the Sabha

(d) No

Increase in prices of Drugs after decontrol

2848 SHRI INDRAJIT GUPTA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether after the virtual decontrol of drug prices, the leading Chemicals and Pharmaceutical companies have been permitted to charge higher retail prices for old stocks,

(b) if so why Government have sanctioned such blatant profiteering at the consumer's expense,

(c) if reply to (a) is in the negative, whether he is aware that these companies have instructed their retail dealers to charge higher prices for their previously held stocks and

(d) whether Government propose to take any action in the matter?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH): (a) to (d) The prices of drugs are statutorily controlled under the Drugs (Prices Control) Order, 1970 Only units having sales turn-over not exceeding Rs 50 lakhs per annum have been exempted from the requirement of taking Government's approval in the fixation/revision of prices of their products. The manufacturer or importer of a formulation is also required to furnish the relevant price list to the dealer and such price list is the dealers' authority for charging the correct price from the consumer The price list is required to be displayed by every retailer at the place of business so as to be accessible for consultation by any customer The prices of formulations are required to take

effect within 15 days of the communication regarding decision of the Central Government. The prices of drugs continue to be controlled under the Drugs (Prices Control) Order, 1970. Hathi Committee is, however, looking into this and similar other matters.

कोयले से चलने वाले तीन उर्वरक कारखाने स्थापित करने के लिए मध्य प्रदेश सरकार का प्रस्ताव

2849. **श्री नरेन्द्र सिंह :**
श्री श्रीकृष्ण अग्रवाल :

क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि

(क) क्या मध्य प्रदेश सरकार ने केन्द्रीय सरकार को एक प्रस्ताव भेजा है जिसमें मध्य प्रदेश मे कोयले मे चलने वाले तीन उर्वरक कारखाने स्थापित करने का अनुरोध किया गया है, और

(ख) यदि हां, तो उस पर सरकार ने क्या कार्यवाही की है?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) :
(क) और (ख) मध्य प्रदेश सरकार ने कोयले पर आधारित उर्वरक सयत्र स्थापित करने के लिए मध्य प्रदेश मे सभव स्थानो का सुझाव दिया है। भारतीय उर्वरक निगम को इन स्थानो के बारे मे तकनीकी-आर्थिक संभाव्य अध्ययन करने को कहा गया है।

ज्वाइंट कौंसिल आफ इंडियन फार्मास्युटिकल ट्रेड मद्रास से ज्ञापन

2850. **डा० लक्ष्मीनारायण पाण्डेय :** क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या ज्वाइट कौंसिल आफ इंडियन फार्मास्युटिकल ट्रेड ने जुलाई, 1974 के दौरान उन्हें कोई ज्ञापन पेश किया था;

(ख) यदि हां, तो उक्त ज्ञापन में उल्लिखित मुख्य मागे क्या है, और

(ग) सरकार ने उन पर क्या कायवाही की है?

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री के० आर० गणेश) :
(क) जी हां।

(ख) अभ्यावेदन भजा गया था कि एथिकल और गैर-एथिकल के बीच कोई भद भाव के बिना फार्मास्युटिकल ट्रेड को सभी उत्पादो पर कम से कम 20 प्रतिशत की व्यापार गुजाइश दी जाये।

(ग) औषध तथा भषज उद्योग पर समिति के विचारार्थ विषयो मे एक विषय, औषधो के मूल्यो को यक्तियक्त बनाने के बारे मे था। अत समितिद्वारा इस अभ्यावदन पर विचार करने की सभावना है जा उनको भी भजा गया है। समिति की सिफारिशो की प्रतीक्षा है।

Amendment of MRTP Act

2851. SHRI C JANARDHANAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether the Trade and Industry have urged Government to amend section 20 of the Monopolies and Restrictive Trade Practices Act; and

(b) if so the salient features thereof and Government's responce thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA). (a) No, Sir.

(b) Does not arise.

Filling up of Vacancies of Member (Accountant) and Member (Judicial) in Income Tax Tribunals

2852. SHRI P. M. SAYEED: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR SAROJINI MAHISHI) (a) The required information is as under —

Year	Accountant Member	Judicial Member
1971 . . .	9	11
1972 . . .	3	1
1973 . . .	10	11
1974 . . . (Up to 31-10-1974)	2	1

(b) The appointment made in 1971 and 1972, mentioned in part (a) above, were made out of the recruitment initiated in 1970, when a common roster for the purpose of reservation of candidates belonging to Scheduled Castes and Scheduled Tribes was being maintained and those made in 1973 and 1974 were made out of the recruitment initiated in 1972 when the system of separate rosters for the post of judicial Member and Accountant Member was introduced The position of reservation was as under

Year	Accountant Member and Judicial Member			
	No of posts reserved for S C	No of S C filled in	No of posts reserved for S T	No of S T. filled in
1971 } 1972 }	4	2	2	Nil
	ACCOUNTANT MEMBER			
Year	No of Posts reserved for S C	No. of Posts filled in	No of Posts reserved for S T	No of Posts filled in
1973 1974	2	2	1	Nil
	JUDICIAL MEMBER			
Year	No of posts reserved for S C.	No of posts filled in	No of posts reserved for S T.	No of posts filled in
1973 } 1974 }	2	2	1	Nil

(c) The reserved vacancies having remained unfilled for reasons of non-availability of candidates belonging to Scheduled Castes and Scheduled Tribes will be duly taken into account for the purpose of recruitment in future in accordance with the general orders of the Government in the matter of reservations

विभिन्न उच्च न्यायालयों के विचाराधीन पुराने से पुराने मामले

2853. **श्री जगन्नाथराव जोशी** : क्या **विधि, न्याय और कम्पनी कार्य** मंत्री यह बताने की कृपा करेंगे कि

(क) प्रत्येक उच्च न्यायालय में पुराने से पुराना मामला किस वर्ष का है,

(ख) रिक्त पदों को भरने के लिये न्यायाधीशों की नियमित नियुक्ति में विलम्ब के क्या कारण है, और

(ग) इस बात को सुनिश्चित करने के लिये सरकार ने क्या कार्यवाही की है कि न्यायालयों में भविष्य में मामले इस प्रकार विचाराधीन न रहें ?

विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले) . (क) विवरण सभा पटल पर रखा है । [अन्बार में रखा गया । देखिये संख्या एल टी-8636 74]

(ख) न्यायाधीशों की नियुक्तियां करने के लिए प्रस्ताव राज्य प्राधिकारियों द्वारा भेजे

जाने होते हैं। कुछ नियुक्तियों की बाबत प्रस्ताव प्राप्त हो गये हैं और उनकी जांच की जा रही है। शेष नियुक्तियों की बाबत राज्य प्राधिकारियों द्वारा प्रस्ताव भेजे जाने की प्रतीक्षा की जा रही है और उन्हें इस संबंध में स्मरण करा दिया गया है।

(ग) विवरण सभा पटल पर रखा गया है ? [ग्रन्थालय में रखा गया। देखिये संख्या एल टी–8636/74]

Scheme of Saudi Arabia on Future Pricing of Oil

2854. SHRI NAWAL KISHORE SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government's attention has been invited to the reported scheme put forward by Saudi Arabia on future pricing of oil by six major Gulf oil-producing States;

(b) if so, the extent to which such proposals would adversely affect the consumers and most particularly India;

(c) the steps being taken by Government to procure oil at cheap rates in the country; and

(d) the steps being taken by Government to face the challenge of oil shortage in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) At a recent meeting of the Gulf Oil producing countries, Saudi Arabia, United Arab Emirates and Qatar have decided as follows:—

1. To lower the crude oil posted prices by 40 U.S. cents per barrel with effect from November, 1, 1974.

2. To raise the rate of royalties to 20 per cent.

3. To raise the rate of income tax applicable to the oil companies to 85 per cent.

The revised price formula will be effective upto the end of July, 1975.

However, Iran, Iraq and Kuwait, the other three participants at this meeting, dissociated themselves from the decision.

(b) With this decision, the foreign oil companies in India have intimated increase in their prices w.e.f. 1st November, 1974 in the case of Exxon and Caltex, and from 14th November, 1974 in the case of Burmah Shell.

(c) Import of crudo oil under bilateral deferred payment has been arranged from Iraq and Iran.

(d) The following steps have been taken:—

(1) Efforts to maximise the production of indigenous crude have been intensified.

(2) Through various optimisation exercises the yield pattern of crude in the refineries has been adjusted in a manner to get the most economical yield pattern. Product specifications have also been adjusted as far as possible for this purposes.

Fiscal measures have been taken to curb the consumption of some products like Motor gasolene, Lubricating oils, bitumen etc. Price of furnace oil has also been increased to encourage switch over to coal. Steps have been taken to encourage efficiency in the use of fuel. Availability of kerosene, an item of personal consumption, has been reduced to the maximum extent possible.

(4) Petroleum products which are surplus to our requirements, are being exported.

(5) Assistance has also been taken from the oil facility of I.M.F.

Proposals to increase outlay for and NGC during Fifth Plan

2855. SHRI M. KATHAMUTHU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have a proposal to increase the outlay for the Oil and Natural Gas Commission during the Fifth Plan period; and

(b) if so, the broad outlines thereof and the purpose for which it would be used?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The ONGC's Fifth Five Year Plan has been drawn up in terms of certain physical targets. To the extent the internal resources of ONGC, from time to time, fall short of requirements for achievement of the targets, it would be Government's endeavour to supplement Commission's financial requirements.

Retrenchment Notice on Employees of Bridge Engineering Department, Vijayawada Division (South Central Railway).

2856. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) the number of employees in the Bridge Engineering Department in the Vijayawada Division of South Central Railway who were given retrenchment notice;

(b) the reasons for retrenching these workers before undertaking a cadre review particularly when they have put in a number of years of service; and

(c) whether any attempt has been made to absorb them in other Departments and other places in South Central Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Thirty-three casual labourers were given retrenchment notices due to completion of works.

(c) Yes, but no vacancies were available to accommodate them as there is curtailment of works.

Caltex Refinery at Visakhapatanm working below-capacity

2857. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Caltex is working its refinery at Visakhapatnam much below its capacity;

(b) how does the production in the current year compare with that for a similar period last year;

(c) whether the reasons for under utilization have been ascertained and if so, the particulars thereof; and

(d) the action taken by Government to assist the Company to work the said refinery to its full capacity?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) The Caltex Refinery has been operating only slightly below its normal operating level of 1.25 million tonnes per annum.

(b) The crude throughput of the refinery during January-October, 1974 was 0.97 million tonnes as against 0.94 million tonnes during the corresponding period in 1973.

(c) and (d). The refinery is operating on imported crude oil. In view of the limited availability of foreign exchange for imports of crude/products, the intake of crude oil of the refineries operating on imported crude, including Caltex Refinery, had to be adjusted in a manner as to give the optimum benefit. Efforts are, however, being made to import maximum quantity of crude oil within the foreign exchange available.

Railway Line from Jhanjharpur-Loukaha and Darbhanga—Samastipur

2859. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 2314 on the 13th

August, 1974 regarding conversion of Samastipur-Darbhanga metre gauge line into broad gauge and new Jhanjharpur-Loukaha and state

(a) what is the stage of the construction of the Jhanjharpur-Loukaha Metre Gauge line and Darbhanga-Samastipur Broad Gauge line and whether it is proposed to complete them before the next rainy season,

(b) whether the proposal for converting Dharbhanga-Raxaul Metre Gauge line into Broad Gauge line has since been finalised, and

(c) if so facts thereof and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Work on earthwork and bridges on the Jhanjharpur-Laukahabazar M G line is in progress and the line is scheduled to be completed by June, 1975

The detailed estimate for the Samastipur-Darbhanga M G to B G conversion is under preparation and work will commence after the estimate is sanctioned

(b) No

(c) An appraisal is being made to determine the comparative merits of Darbhanga-Raxaul M G to B G conversion and its alternative the Muzaffarpur-Raxaul conversion A final decision will be taken after the relevant report is received from the North Eastern Railway Administration and examined

Share of Principal Producers in production of Soaps

2860 SHRI JYOTIRMOY BOSU Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the share of Principal producers in the total production of soaps in the organised sector during 1973 and the first six months of 1974?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH) The share of seven principal producers of soap *vis-a-vis* the total production by 39 manufacturers in the organised sector during 1973 and the first six months of 1974 was of the order of 86 per cent and 89 per cent respectively

Construction of Railway Line from Howrah to Amta

3861 SHRI SOMNATH CHATERJEE
SHRI SAMAR GHUHA

Will the Minister of RAILWAYS be pleased to state

(a) when the work of construction of Railway from Howrah to Amta, formerly covered by the Martin Railway, is expected to commence,

(b) the time to be taken for the completion thereof,

(c) whether the State Government is required to meet the expenses for the construction of the Railway or any part thereof, and

(d) if so the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (d) The construction of a broad gauge line from Howrah to Amta with a branch line Bargachia to Champadanga, was approved by Parliament on the basis of 50 per cent participation of the State Government in the cost of construction and operation of the lines, in view of the unremunerative nature of the line and the importance attached by the State Government for construction of this line for developmental purposes The State Government have been addressed to communicate their acceptance to bear 50 per cent of the cost of construction and operation but so far no reply has been received from the State Government The work of construction on this project which will take about two to three workin

seasons from the date of its commencement, will be taken up immediately on receipt of the State Government's approval for sharing the cost.

Staps taken to avoid incidents of fire in Trains

2862. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of RAILWAYS be pleased to state what precautionary measures have been adopted by Railways, particularly in respect of the long range mail and express train, for the necessary check up of route, track and engine and also the precautions laid down for the passengers to avoid incidents like the one of fire in the bogie of Upper India Express on 31st October, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-8637/74].

Representation from Dhanbad District Congress committee and Dhanbad Mandaliya Rail Kalyan Samiti

2863. SHRI CHANDRA SHEKAR SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether he has received several representations from Dhanbad District Congress Committee and Dhanbad Mandaliya Rail Kalyan Samiti against the misdeeds and antisocial activities of D.S. and D.P.O. Dhanbad, Eastern Railway; and

(b) if so, the broad outlines of the action taken by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Representations have been received only from Dhanbad District Congress Committe regarding alleged misdeeds and antisocial activities of D.S. and D.P.O., Dhanbad, Eastern Railway.

(b) The allegations were investigated and have been found baseless.

Drilling of Second Oil Well in Bombay High

2864. SHRI P. GANGADEB:
SHRI D. D. DESAI:
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the date by which drilling and testing operations on the second well in Bombay High are expected to be completed;

(b) upto what depth the second oil well is likely to be projected; and

(c) whether the operations of the second well could be conducted with less foreign assistance and personnel?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI O. P. MAJHI): (a) and (b): The drilling of the second well on the Bomby High structure was completed on 15th November, 1974. Testing operations are in progress and would continue for some more time

(c) Yes, Sir.

पैट्रोल की खपत को कम करने के उपाय

2865. **श्री मूलचन्द डागा :** क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) पैट्रोल की खपत को कम करने के उद्देश्य से सरकार द्वारा उठाये गये विभिन्न कदमों का किस सीमा तक पालन हुआ;

(ख) वर्ष 1974 में अप्रैल, मई तथा जून महीनों के दौरान क्रमश: कितनी-कितनी मात्रा में पैट्रोल की बचत की गई तथा यह बचत किन क्षेत्रों में हुई; और

(ग) ऐसी सरकारी जीपों तथा कारों की संख्या कितनी है जिनका उपयोग या तो बन्द कर दिया गया है या फिर कम कर दिया गया ?

पैट्रोलियम और रसायन मंत्रालय में उप-मंत्री (श्री सी० पी० माशी) : (क) से (ग) पैट्रोल की खपत को कम करने के लिए सरकार द्वारा निम्नलिखित उपाय अपनाये गये थे —

(i) 3 11 1973 से पैट्रोल के मूल्य में वृद्धि की गई थी।

(ii) नवम्बर 1973 में केन्द्र सरकार, के अनेक कार्यालयों राज्य सरकारों तथा सरकारी क्षेत्र के उपक्रमों का सरकारी वाहनों में पेट्रोल की खपत में कटौती करने के लिये आदेश जारी किये गये थे।

उपरोक्त (ii) में जारी किये गये आदेशों पर अनेक सरकारी विभागों राज्य सरकारों तथा सरकारी क्षेत्र के उपक्रमों ने आवश्यक कार्यवाही की थी। तथापि सरकारी वाहनों, जिनका प्रयोग करना बन्द कर दिया गया अथवा कम कर दिया गया था, की संख्या के आंकड़े उपलब्ध नहीं हैं।

अप्रैल से जून, 1974 के दौरान पैट्रोल की खपत में वर्ष 1973 के उसी अवधि की तुलना में लगभग 122,000 मी० टन की कमी आई। यह कहना संभव नहीं है कि पैट्रोल की प्राप्त की गई बचत किस क्षेत्र में की गई थी।

Powers to General Managers for appointment of sons/wards of Loyal Railway Workers

2866 SHRI RAMAVATAR SHASTRI Will the Minister of RAILWAYS be pleased to state

(a) whether after May, 1974 Railway strike, General Managers have been empowered to appoint sons/wards of loyal Railway workers without routing through Railway Service Commission;

(b) whether the Railway Minister in reply to Unstarred Question No 1286 answered on the 28th March, 1972 stated that after the commencement of the Constitution it is not permissible to give any preference in the matter of employment for sons and dependants of Railway employees; and

(c) if so, whether the Constitution referred to in part (b) was first amended and then orders issued and if not, how the orders in part (a) have been issued in violation of the position stated in part (b)?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) General Managers of Railways have earlier also been having power to make appointments on compassionate grounds In February, 1974 orders had been issued extending the scope of compassionate appointment to wards of employees who show conspicuous devotion to duty in the face of intimidation and violence to which Railwaymen were becoming more and more subject This was mentioned in Parliament by the Minister for Railways in his speech while introducing the Railway budget on 27th February 1974

(b) Yes A previously existing procedure for grant of preference to children of Railwaymen by awarding them extra marks had to be withdrawn

(c) The orders referred to in the reply to part (a) do not provide for any extra marks or preference It is only an extension of the system of giving appointments on compassionate ground for limited vacancies, which was in vogue on the Railways even after the Constitution came into force

Anti-Trust suit Filed by Government Against Pfizers and other drug Firms in USA

2867 SHRI K S CHAVDA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Government of India have filed an anti-trust suit in USA against the Pfizers and four

other major U.S. drug manufacturing companies charging them with violation of the anti-trust laws in the manufacture and sale of the Tetracycline group of broad spectrum antibiotics in our country;

(b) if so, the grounds on which Government were compelled to file this suit;

(c) whether Secretary of his Ministry visited U.S.A. in this connection, if so, what was his report; and

(d) whether enough publicity to ing the suit was not given in order o safeguard the interest of M/s f.ers in India?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) A civil suit for claiming demages under the Sherman Anti-trust laws in force in USA has been filed against Pfizer Cyanamid, Squibb, Bristol and Upjohn in a US court on 11th October, 1974.

(b) Based upon an enquiry by a Senate Committee (USA) it was found that five US firms already referred to above had been over-charging foreign purchasers by supplying certain drugs (broad spectrum antibiotics) under US Aid or by way of other purchases by fixing of their prices in collusion, thus violating the Sherman Anti-trust laws in force in USA. Accordingly, the suit has been filed claiming damages as India also Imported certain board spectrum antibiotics from three companies during 1953-1967.

(c) Secretary (F&C) visited Washington in connection with Ferilizer Projects and had informal discussions with law firm and Embassy of India's officials. Disclosure of details of the discussions will not be desirable.

(d) No, Sir.

Fall in passenger and Freight Traffic after change in Railway Fare structure.

2868. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether after last change in Railway fare structure, traffic both in regard to passenger and freight, have recorded significant fall and if so, facts thereof;

(b) comparative figures of Railway revenues collected as (i) fare from passenger and (ii) freight charge during the months of September and October for the years 1973 and 1974;

(c) whether after increase of Railway fare, number of passengers travelling by trains like (i) Rajdhani Express and (ii) De Luxe have recorded sharp fall;

(d) if so, comparative figures of passengers travelling by such trains during the year 1973 and 1974; and

(e) whether these comparative figures will necessitate reconsideration of fare structure and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The level of passenger and freight traffic depends, apart from changes in the fare and freight structure, on the tempo of industrial and economic activity, etc., and it is not possible to segregate the effect of each one of these.

The available figures indicate that while there has been some decline in passenger traffic, the goods traffic has increased in the months of September, and October, 1974, compared with the corresponding months of the last year.

(b) The figures of revenue earned by railways during the months of September and October, 1974, as compared with the corresponding months of last year are as under —

(Figures in crores of Rs)

	Actual earnings for September		Actuals for October	Approximate Actuals
	1973	1974	1973	1974
Passenger	27 43	32 01	31 91	34 90
Goods	54 32	71 98	59 47	83 51

(c) The percentage occupation has declined in the Air-conditioned class and A C Chair Cars

(d) A statement showing the percentage of occupation in these trains during the period 15th September, 1974 to 31st October, 1974 as compared with the figures of occupation in the corresponding period of last year is laid on the Table of the House [*Placed in Library See* No LT-8638/74]

(e) the trend of occupation in these trains has to be watched further before taking a decision on the question of any change in the fare structure or substitution of the upper class coaches by second class coaches

दिल्ली अहमदाबाद रेलवे लाइन को दोहरा करना

2869. **श्री ओंकार लाल बरवा** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने दिल्ली–अहमदाबाद रेलवे लाइन को डबल करने का काम चालू कर दिया है और

(ख) यदि हां तो अब तक कार्य में क्या प्रगति हुई है ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

Railway line between Dharamnagar and Kumarghat in North Tripura

2870 SHRI BIREN DUTTA Will the Minister of RAILWAYS be pleased to state

(a) whether Government have started work for the railway line between Dharamnagar and Kumarghat in North Tripura, and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b). The proposal for the construction of a rail link between Dharamnagar and Kumarghat has been included in the Railways' Budget for the current year subject to the funds being made available by the North Eastern Council

As the required funds have not been made available by the North Eastern Council the work on this project could not be taken up so far

Steps to check thefts and Pilferage in Railways

2871 SHRI N K SANGHI Will the Minister of RAILWAYS be pleased to state

a) whether the Railways have made any assessment as to how far the various measures taken to check thefts and pilferage have yielded encouraging results during the last two years in the different Railways;

(b) if so, the salient features thereof; and

(c) whether steps are also being taken to further strengthen the intelligence wing of the security forces and to equip the present force properly to make it function still more effectively and if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Yes. Results of the measures adopted to check thefts and pilferages have been assessed on the basis of claims lodged for compensation. The number of such claims have shown a decreasing trend. Claims registered in 1973-74 were 49,804 less than those registered during 1972-73.

The percentage of claims paid for losses, thefts and pilferages to the total claims paid has also come down from 74.13 per cent in 1972-73 to 72.25 per cent in 1973-74.

(c) The Railway Protection Force, including its wing dealing with Intelligence regarding Crime and Criminals has been re-organised only recently in November, 1973 to make it more effective by:

(i) providing better supervision at all levels.

(ii) separating Protection Wing from Investigation staff to strengthen the effectiveness of the Investigation wing and thus to intensify collection of intelligence against Crimes and Criminals.

(iii) introducing beat system in preference to fixed point duties to provide for greater flexibility in the deployment of force.

(iv) providing greater mobility by increasing the number of vehicles with the Security staff.

(v) re-inforcing the Intelligence staff available in division.

(vi) providing plain clothes staff at the disposal of Divisional Security Officers to keep unobstrusive watch over suspected criminals and receivers.

Oil Exploration in Bombay High

2873 SHRI RAM SHEKHAR PRASAD SINGH:
SHRI R. V SWAMINATHAN:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government expect to get oil from the Bombay High by 1976;

(b) if so, the salient features thereof;

(c) whether all the 10 wells dug so far have been found to be oil bearing; and

(d) if so, to what extent the oil position will ease after extraction of oil starts there?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). When the commerciality of the oil strike at the Bombay High structure is established, the ONGC plans to produce oil from this structure in the quickest possible time.

(c) Only two wells have so far been drilled on the Bombay High structure and both have been found to be hydrocarbons bearing.

(d) It is too premature, at this stage, to say anything in this matter

Suggestions for reduction in price of oil by oil producing countries

2874. SHRI R. V. SWAMINATHAN: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether many big countries and the Secretary-General of U.N. have requested the oil producing countries to reduce the prices of oil to meet the worsening of economic conditions in the world;

(b) whether the oil producing countries have agreed to consider the same;

(c) whether a meeting of those countries was held recently to consider the issue,

(d) if so, how many countries are in favour of such reduction, and

(e) whether any final decision has been arrived at and communicated to the various countries including India?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI) **(a) to (e). The information is being collected and will be laid on the Table of the House in due course.**

Overbridges to be constructed in Khurda Road Division

2875. **SHRI CHINTAMANI PANIGRAHI: Will the Minister of RAILWAYS** be pleased to state the particulars of new over bridges proposed to be constructed in Orissa in Khurda Road Division during 1974-75?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): **There is no proposal** for construction of any new road overbridge in Orissa in Khurda Road Division during 1974-75.

Re-instatement of dismissed/removed employees of Northeast Frontier Railway

2876 SHRIMATI PARVATHI KRISHNAN: **Will the Minister of RAILWAYS** be pleased to state:

(a) the number of employees permanent, temporary, casual on monthly rates of pay, and casual on daily rates of wages, who were dismissed, removed or terminated due to the May, 1974 strike on the Northeast Frontier Railway division-wise and workshop-wise;

(b) the number of employees of each category since taken back on duty,

(c) the number of employees of each category yet to be taken back, and

(d) the reasons for the delay in their reinstatement?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): **(a) to (c). A statement is attached.**

(d) Individual appeals submitted by the staff are being reviewed on case to case basis. The process is continuing, and the Administration are doing their utmost to review cases as expeditiously as is possible Re-engagement of casual labour depends also on the work needs and resources position.

Statement

Division/ Workshop	Dismissals/Removals of Permanent Employees			Termination of service of Temporary employees			Substitutes/Casual labour discharged		
	No. dismissed/ removed	No. taken back	Balance	No. terminated	No. taken back	Balance	No discharged	No. taken back	Balance
Divisions:									
Katihar	509	403	106	405	275	130	1	..	1
Lumding	308	221	87	782	183	599	266	1	265
Tinsukia	59	41	18	67	46	21	15	4	11
Alipurduar	283	218	65	161	146	15	24	..	24
Workshops:									
New Bongaigaon Dibrugarh	63	55	8	69	49	20	20	..	20

Extra time given to trains to maintain punctuality

2877. SHRI R. P. YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether within a radius of about 50 Kms. of Delhi, extra time is given to various trains to maintain their punctuality; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). A small cushion of time is provided where feasible in the schedule of long distance passenger carrying trains while approaching metropolitan cities like Delhi/New Delhi so that any late running on account of unforeseen contingencies enroute does not upset the overall operational arrangements at these stations. Additionally this provision becomes necessary in such areas where running of suburban trains create path difficulties or long distance trains particularly in morning/evening peak rush hours and to cater for paucity of terminal facilities at such major towns.

House rent collection from Railway personnel working in Reoti Bahera Khera, Moradabad Division (Northern Railway)

2878. SHRI SAMAR MUKHERJEE: Will the Minister of RAILWAYS be pleased to state:

(a) whether house rent is being collected from Railway personnel working in Reoti Bahera Khera (Moradabad Division, Northern Railway) for the quarters which are being utilised to keep Railway properties;

(b) if so, the reason for utilising the houses allotted to railway personnel as store rooms to keep railway goods; and

(c) what steps have been taken by Government to refund the house rent so collected?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) At present no Railway quarter at Reoti Bahera Khera Station is being utilised to keep Railway properties.

(b) and (c). Do not arise.

Conversion of metre gauge lines into broad gauge in Karnataka

2880 SHRI C. K. JAFFER SHARIEF: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any scheme to convert metre gauge lines into broad gauge in Karnataka during the Fifth Five Year Plan; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Conversion of specific sections into B. G. is considered on the merits of each case when line capacity cannot be increased by other economical methods, subject to availability of funds. Surveys have been carried out for certain proposals, and the position thereof is as below:

(i) *Bangalore-Mysore*—Reports on Engg.-cum-Traffic Surveys have been received and they are under examination. A final decision will be taken as soon as the results of the examination become known.

(ii) *Miraj-Hubli-Hospet*.—The survey reports are under examination. A study group has also been set up by the Ministry of Mines and Metals to look into the various aspects of integrated development of Bellary-Hospet iron ore deposits. A decision will be taken after the survey report is examined from all aspects.

(iii) *Salem-Bangalore (Partly falling in the State of Karnataka)*.—The survey report is under examination. A final decision will be taken as soon

as the results of the examination become known.

(iv) *Guntakal-Bangalore (Partly falling in the State of Karnataka)* —Works is in progress

Relaxation of divorce laws

2881 SHRI BANAMALI PATNAIK Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is any proposal to relax the divorce laws in the country

(b) if so, the salient features thereof, and

(c) the time by which the proposals are likely to be brought before Parliament?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). The Law Commission has considered the question of amending the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954 in this respect. Its recommendations are contained in the 59th Report which has been laid on the Table of the Lok Sabha on the 19th November, 1974 The recommendations include recommendations for liberalisation of the provisions relating to divorce.

(c) The matter of implementing the recommendations contained in the 59th Report of the Law Commission is under active consideration of the Government.

Construction of a Railway line between Kota and Chittorgarh

2882. SHRI HEMENDRA SINGH BANERA: Will the Minister of RAILWAYS be pleased to state.

(a) whether Rajasthan Government has strongly recommended to the Government of India to undertake the construction of broad gauge railway line between Kota and Chittorgarh during the Fifth Five Year Plan, and

(b) if so, the decision of the Government of India in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes

(b) A traffic survey carried out in 1965-66, and a subsequent re-appraisal made in 1969-70 had shown that this link would not be financially viable. Due to the very limited availability of funds for new lines, it will be difficult to consider construction of this unremunerative line at present.

Retrenchment of gangmen and other temporary employees in Palamau and Garhwa Districts

2883. KUMARI KAMLA KUMARI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Eastern Railway is retrenching the gangmen and other temporary employees specially in Palamau District in general and Garhwa in particular at a time when Palamau District is facing acute scarcity and famine, and

(b) if so whether Government propose to reconsider the matter and stop retrenching gangmen immediately?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No gangmen or other temporary employees are being retrenched. However due to reduction and slowing down of works, 182 workcharged casual labour have had to be given notice of termination.

(b) Does not arise.

मध्य रेलवे मे विभिन्न वर्कशापों मे कार्यरत नैमित्तिक तथा अस्थायी कर्मचारी

2884. श्री हुकम चन्द कछवाय : क्या रेल मत्री यह बताने की कृपा करेंगे कि

(क) मध्य रेलवे के विभिन्न डिविजनो की वर्कशापों मे इस समय पृथक्-पृथक् कितने-कितने नैमित्तिक कर्मचारी कार्यरत है, और

(ख) वहा कार्यरत अस्थायी कर्मचारियो की सख्या कितनी है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) कोई नहीं ।

(ख) यांत्रिक कारखानों में 260 और सिगनल तथा दूर संचार कारखानों में 9 ।

Implementation of the scheme for recycling used oils

2885. DR. H. P. SHARMA: Will the Minister of PETROLEUM AND CHEMICALLS be pleased to state:

(a) whether procedural difficulties are coming in the way of implementation of the scheme for recycling the used oils;

(b) if so, the broad outlines of the scheme; and

(c) what hurdles are coming in the way of its implementation?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). Government is encouraging re-refining of used lubricating oils with a view to effecting saving in consumption and also prevention of mis-use of used oils. The Indian Institute of Petroleum and several other organizations have developed the necessary know-how in this field. The IIP have issued licences to several private parties for re-refining of used oils using the IIP's know-how. This arrangement has not been found to be working satisfactorily mainly for want of proper check and inspection of the re-refined oils which are sold by the reclaimers. In view of this the IIP has been instructed not to issue further licences except for the purpose of establishing captive units. The existing private parties are being encouraged to enter into agreements with major consumers of lubricating oils such as Road Transport Corporations for reclaiming used oils on a processing fee basis. The matter is being further studied in detail with the oil companies to work out a more satisfactory arrangement.

(c) The main hurdles are:—

1. Collection of used oil from a large number of scatchered sources like service stations, garages etc;
2. Verying quality of used oil obtained from different sources;
3. Inadequates technical expertise with the parties who are already in the field.

Investigation report against Messrs. Indian Tube Company Limited, Calcutta

2886. SHRI S. N. SINGH DEO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) what are the findings of the report submitted by the inspector appointed to investigate into the affairs of Messrs. Indian Tube Company Limited, Calcutta; and

(b) the decision taken by Government in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA). (a) No inspectors were appointed under Companies Act, 1956 to investigate into the affairs of Indian Tube Company Limited, Calcutta

(b) Does not arise.

Modi Spinning and Weaving Mills Co., Ltd.

2887 SHRI SARJOO PANDEY. Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state·

(a) whether Modi Spinning and Weaving Mills Co., Ltd intends to manufacture synthetic sewing thread in collaboration with Arora Rorschach A G. of Switzerland (Heberleim Group);

(b) if so, whether Government have given the permission; and if so, the reasons therefor;

(c) whether any Government enquiry is in progress against Modi Group of industries at present; and

(d) if so, the nature thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Yes, Sir.

(b) The proposal of the company for manufacture of 300 tonnes of synthetic sewing thread per annum was approved by the Government because it was considered desirable to provide for an effective competition to a foreign majority company which was at present having a monopoly in the manufacture of this item.

(c) and (d). Yes, Sir. The following enquiries by the Monopolies and Restrictive Trade Practices Commission are in progress against certain companies of Modi Group —

(i) Enquiry under section 21(3)(b) of the MRTP Act in respect of the proposal of M/s. Modipon Limited for manufacture of 2000 tonnes of Nylon Tyre Yarn per annum.

(ii) Enquiry under section 10(a)(iv) read with section 37 of the MRTP Act against certain companies including M/s Modipon Limited regarding the various restrictive trade practices indulged in by the Nylon Yarn spinners and others on the basis of an Agreement entered into by them on 9-10-73.

(iii) Enquiry under section 10(a)(iii) read with section 37 of the MRTP Act against Modi Yarn Mills (Prop. Modi Spg. and Wvg. Mills Company Limited) into restrictive trade practices alleged to be indulged in by the company.

Foreign exchange to be spent on fertilizer plants in Fifth Five Year Plan

2888. SHRI ANADI CHARAN DAS: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the total foreign exchange to be spent on each of the fertilizer plants to be set up in the Fifth Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): Five new fertilizer projects are proposed to be set up in the Fifth Plan period in the public sector. The foreign exchange requirements of these projects are estimated to be as under:

Location of the project	Foreign exchange cost (in rupees crores)
1. Bhatinda	53.00
2. Panipat	50.60
3. Mathura	53.00
4. Trombay V	27.50
5. Paradeep	Not yet finalised.

In addition to the above, a fertilizer project is proposed to be set up at Phulpur in the cooperative sector, the foreign exchange cost of which is estimated at Rs. 51.70 crores. Letters of intent have also been issued for establishing fertilizer project at Kota Expansion), Kakinada and Baroda (Expansion); the estimates of foreign exchange for these projects are yet to be finalised.

पाइप लाइन के माध्यम से मथुरा तेल शोधक कारखाने से तेल की सप्लाई

2889. **श्री चन्दूलाल चन्द्राकर:** क्या **पेट्रोलियम और रसायन** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मथुरा तेल शोधक कारखाने से विभिन्न राज्यों को तेल सीधी पाइप लाइनों द्वारा सप्लाई किया जायेगा; और

(ख) यदि हां, तो उन राज्यों के नाम क्या हैं ?

पेट्रोलियम और रसायन मंत्रालय में उप-मंत्री (श्री सी० पी० माझी) : (क) और (ख). देश के उत्तर पश्चिम क्षेत्र की पेट्रोलियम उत्पादों सम्बन्धी आवश्यकताओं को पूरा करने के लिए मथुरा रिफाइनरी की स्थापना की जा रही है। चूंकि पेट्रोलियम उत्पादों का लाना ले जाना परिवहन के अन्य साधनों की अपेक्षा सामान्यतया पाइपलाइन द्वारा अधिक सस्ता होता है, भारतीय तेल निगम को मथुरा से अम्बाला और जालन्धर तक उत्पाद पाइप-लाइन बिछाने के लिए एक सम्भाव्य अध्ययन रिपोर्ट तैयार करने को कहा गया है। पाइप-लाइन से परिवहन के अन्य साधनों अर्थात् रेल तथा सड़क द्वारा उत्तर पश्चिम क्षेत्र के विभिन्न उपभोक्ता केन्द्रों को ले जायेंगे।

Production of Foot and Mouth Disease Vaccine

2890. SHRI SATYENDRA NARAYAN SINHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether besides Messrs. Bhartiya Agro Foundation some other institutions are also manufacturing Foot and mouth Disease Vaccine and the capacity installed in the country for this vaccine;

(b) whether Fifth Five Year Plan target for this vaccine is 15 million doses and 13 million doses are approved for Bhartiya Agro Foundation;

(c) whether the know-how for this vaccine is available with the Indian institutions; and

(d) if the replies to (b) and (c) are in the affirmative, why licence for production of Foot and Mouth Disease Vaccine has been given to foreign firms like Pfizers and Hoechst?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a). M/s. Bhartiya Agro Industries Foundation are not manufacturing Foot and Mouth Disease Vaccine at present. Their project is only in the installation stages. M/s. Hoechst Pharmaceuticals Ltd., and M/s. Indian Veterinary Institute, Mukteswar are the only producers of this vaccine in the country. They have installed a capacity of 5 lakhs doses and 2 lakhs doses per annum respectively.

(b) Fifth Five Year Plan target for Foot and Mouth Disease Vaccine is 15 million doses and M/s. Bhartiya Agro Industries Foundation have been granted a letter of intent for a capacity of 3.2 million doses of this vaccine per annum.

(c) and (d). The know-how for the manufacture of Foot and Mouth Disease Vaccine is available with the Indian Veteninary Research Institute who are manufacturing this vaccine in limited quantities. Government have an ambitious programme of dairy development during the Fifth Plan period and Foot and Mouth Disease Vaccine will be required in large quantities in the country.

Since there was no proposal from any Indian unit, M/s. Hoechst Pharmaceuticals Limited and M/s. Pfizers Limited, Bombay were granted letters of intent so that the demand of the country could be met.

Dacoities on trains of Sealdah Division during January—October, 1974

2891. SHRI MADHURYYA HALDAR: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of dacoities in trains in Sealdah Division of Eastern Railway during the period from January, 1974 to October, 1974; and

(b) the follow-up action and preventive measures taken in this respect?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). 12.

(b) (i) Important day and night passenger trains are being provided with armed escorts by the State Police.

(ii) Services of Home Guards are also being utilised in running trains and railway stations to watch the movements of criminals and to collect intelligence.

(iii) Plain clothed staff are also being utilised in trains to prevent such cases. Armed Pickets have also been formed in endemic stations. Resistance Groups have also been formed at important stations.

(iv) During the current year 41 persons including 19 Dacoits and robbers have been detained under Maintenance of Internal Security Act. Several gangs have been unearthed and members are being apprehended as a result of follow-up action.

Catering contracts given to contractors

2892. SHRI MOHAMMAD ISMAIL: Will the Minister of RAILWAYS be pleased to state:

(a) the reason for leaving the responsibility of providing catering facilities to passengers in the long distance trains in the hands of the contractors;

(b) whether there is any proper check on their working; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a). Catering facilities in long distance trains are provided both by contractors and departmental units of the Railway.

(b) Yes.

(c) Does not arise.

Durgapur Fertilizer Factory

2893. SHRI SHASHI BHUSHAN: Will the Minister of. PETROLEUM AND CHEMICALS be pleased to state:

(a) when was the fertiliser factory at Durgapur completed;

(b) whether the factory has not yet started production because of the erratic performance of quite a number of the major imported components;

(c) whether Government have fixed responsibilities or enquired into involvement of the concerned Government officials for the delay;

(d) what is the total foreign component involved and who are the foreign suppliers; and

(e) what has been the estimated total loss in terms of fertiliser production as a result of the lapse and when the Durgapur factory is expected to go into production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS SHRI K. R. GANESH): (a) to (e). The plant which started production in October, 1973 has not so far been able to stabilise production at a satisfactory level as a result of failure and break-down of several critical items of equipment, including imported machinery and components, Since a chemical plant of this type would normally take about two to three years to optimise production, the loss

on this account could be estimated at around 2 lakh tonnes of urea per annum.

The imported items of equipment and components valued at Rs. 4 crores were purchased under Suppliers Credit from Italy through reputed firms like Societa Impienti Italiana (SII) in the case of the ammonia plant, and Montedison in the case of the urea plant, and other suppliers, who are also well established manufacturers like Nuove Pignone (Italy), Thermo-Meccanica (Italy), Lentzes/Rekuperator (West Germany). In many cases, the equipment suppliers, both indigenous and foreign, were fabricating the items of equipment for the first time for the duties and in the sizes required. Several parties, were thus involved in the implementation of this project, which was the first major effort towards indigenisation based on maximum utilisation of indigenous equipment and expertise.

From time to time, systematic efforts have been made to identify and overcome the various mechanical defects and other problems with a view to ensuring satisfactory operation. In several cases, replacements have been obtained for equipments found defective. Since these steps were not wholly successful, Messrs. Technimont, who were intimately involved with this project in designing, supplies, etc., were invited to make comprehensive survey from end-to-end, and suggest measures necessary to ensure reliability of operations at satisfactory levels. The end-to-end survey report has been received and appropriate action is in hand to put through the remedial and other measures considered necessary in the light of this report. It is expected that these modifications etc will be completed in the next 18 months and that the plant should be able to stabilise production in about 24 months from now. In addition to the technological problems referred to above, the plant has also been facing difficulty in stabilising production due to frequent power failures and instability in the power supply system. The matter has been taken up with the State Government, who are taking necessary action to ensure adequate and regular power supply. The plant authorities are hopeful that given steady power supply, the plant could stabilise production at about 50 per cent of its capacity.

Promotional Quota in various services of S.C./S.T.

2894 SHRI SAKTI KUMAR SARKAR: Will the Minister of RAILWAYS be pleased to state

(a) whether any steps have been taken to devise ways and means to improve the position of Scheduled Castes/Tribes in promotional quota in the various services and posts under the Railways, as recommended by the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Fifth Lok Sabha), in their Thirteenth report; and

(b) if so, what are the broad outlines of such steps, and if no such steps have been taken what are the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) The steps taken to improve the position of Scheduled Castes/Tribes in promotional quota in the various services and posts under the Railways are given in the attached Statement.

Statement

Apart from the concessions mentioned in Chapter II of the Report on the progress made on the Railways in the intake of Scheduled Castes and Scheduled Tribes for the half year ending 30-9-1973, copies of which are available in the Parliament Library, the following further

steps have been taken to increase the intake of Scheduled Castes and Scheduled Tribes in the posts filled by promotion on Railways:

(i) A Special Cell has been established in the Railway Board which is headed by an Additional Director who is assisted by two Advisers.

(ii) A Senior Scale post of Senior Personnel Officer has been created on each zonal Railway exclusively to deal with the cases of direct recruitment and promotion of these communities. He is assisted by inspectorial and other staff.

(iii) It has again been impressed on the Railway Administrations that all cases of supersession must be submitted to the General Manager/authority concerned for review.

(iv) Orders have recently been issued that in the case of promotion, if the rejuisite number of Scheduled Caste and Scheduled Tribe candiate are not available for being placed on the panel inspite of various relaxations already granted, the best among them i.e. who secure the highest marks, should be earmarked for being placed on the panel to the extent vacancies have been reserved for them. The panel excluding the names of such persons may be declared provisionally. Thereafter the Schedlued Caste and Scheduled Tribe candidates who have been so earmarked may be promoted *ad hoc* for a period of six months against the vacancies reserved for them. At the end of the six months' period, a special report should be obtained on the working of these candidates and the case put up by the Department concerned to the General Manager for review, with a view to see whether these candidates could be continued and promoted finally against the reserved vacancies.

(v) Orders have issued providing for reservation in promotion to the categories and posts in Class I, II, III, and IV filed on the basis of seniority-*cum*-suitability provivided the element of direct recruitment to these grades, if any, does not exceed 50 per cent.

(vi) Orders have also issued providing for reservation in favour of Scheduled Castes and Scheduled Tribes in promotion made on the basis of selection from Class III to Class II and from Class II to the lowest rung of Class I services where the element of direct recruitment does not exceed 50 per cent.

Goods Piled up at Howrah and its neighbourhood

2895. SHRI R. N. BARMAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether during the month of September, 1974 a huge quantity of goods piled up in the Railway goods-sheds at Howrah and its neighbourhood;

(b) if so, whether Railway had charged extra amount from traders who were responsible for not lifting their consignments from the Railway goods-sheds for a pretty long period; and

(c) whether the traders did not take delivery of the essential commodities due to the fluctuation in prices?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Rs. 18.41 lakhs was realised as demurrage/wharfage charges from the **traders at Howrah, Ramkistopur and Shalimar goods-shed during September,** 1974

(c) Reasons for delay in taking delivery by the consignees are not known to the railways.

Doctors and Engineers on Zonal Railways belonging to SC/ST

2896. SHRI S. M. SIDDAYYA: Will the Minister of RAILWAYS be pleased to state:

(a) how many doctors and engineers are working in each of the Railways and the Railway Board as on the 1st October, 1974;

(b) of them, how many belong to the Scheduled Castes and Scheduled Tribes;

(c) whether special recruitment will be made to improve their intake; and

(d) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI **BUTA SINGH): (a) and (b).** A Statement is attached.

(c) and (d). Recruitment of Engineers and Doctors to gazetted posts is made by the U.P.S.C. on the basis of annual competitive examinations and/or interviews. Vacancies for Scheduled Castes/Scheduled Tribes are reserved **as per extant orders. No special recruitment is contemplated at present.**

Statement

Number of Doctors and Engineers (Gazetted Officers) on the Zonal Railways and Railway Board

Railway	Doctors			Engineers		
	Total	S/C	S/T	Total	S/C	S/T
Central	254	21	..	378	21	..
Eastern	303	17	2	355	11	..
Northern	317	7	..	436	11	..
North Eastern	139	4	.	228	10	1
Northeast Frontier	175	2	.	177	3	3
Southern	232	13	2	343	10	1
South Central	165	16	2	274	15	2
South Eastern	257	19	2	413	19	3
Western	294	15	1	418	12	..
Railway Board	2	..	..	65	..	..

Legal Aid to Workers

2897. SHRI VASANT SATHE:
SHRI D. B. CHANDRA GOWDA:
SHRI ARVIND M. PATEL:
SHRI ANADI CHARAN DAS:
SHRI P. GANGADEB:
SHRI RAGHUNANDAN LAL BHATIA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether a statutory provision for free legal aid and advice to the working class has been recommended by an expert Committee of the Government;

(b) if so, the reaction of Government thereto; and

(c) the other recommendations made by the panel and at what stage of consideration they stand?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) Yes Sir.

(b) and (c). The recommendations of the Expert Committee on Legal Act entitled 'Processual Justice to the People' are under examination.

Ticketless travelling on Western Railway during the last three years

2898. SHRI D. P. JADEJA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of persons arrested on Western Railway while travelling without ticket during the last three years, year-wise;

(b) the amount realized from them as fine; and

(c) the number of persons prosecuted for not making payment of fine in cash?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI **BUTA SINGH): (a) to (c). A statement is attached.**

Statement

Year	Number of persons arrested	Number of persons Fined	Amount of Judicial fine Realised.	Number of persons imprisoned	No. of persons let off by Magistrates.
			Rs.		
1971-72	43,515	22,182	87,874 00	18,630	2,703
1972-73	45,660	20,928	68,427 00	19,755	4,977
1973-74	42,346	20,874	88,743 00	15,916	5,556

NOTE —With reference to part (c) of the Question, it is clarified that when ticketless travellers are prosecuted before the Magistrate, he tries the cases and either imposes a fine on them or sends them to prison. He also lets off the destitutes and beggars etc. by virtue of the power vested with him

Repairs and expansion of Railway Stations in Rajasthan

2899. SHRI SHRIKISHAN MODI. Will the Minister of RAILWAYS be pleased to state:

(a) whether some of the Railway stations in Rajasthan need repairs and expansion; and

(b) if so, whether Central Government have granted any funds therefor during the current year?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) For the existing level of traffic, major expansion of the Railway Stations in the State of Rajasthan is not considered necessary. However, works for providing improved passenger amenities, such as platform shelters, bath rooms, latrines retiring rooms etc. at some stations in Rasjasthan are in progress. Periodic maintenance and repairs which are necessary are carried out regularly, as a normal practice on the entire railway system

(b) Funds for repairs and maintenance are provided every year and this year also funds for this purpose have been provided. Funds have also been provided for the passenger amenity works proposed to be carried out.

Barabanki-Samastipur and Samastipur Darbhanga lines into broad Gauge lines

2900. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state what is the latest position with regard to the conversion of the Barabanki-Samastipur and Samastipur-Darbhanga lines into broad gauge lines and construction of Jhanjharpur-Loukaha Sakari-Hasanpur M. G. lines?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): The Samastipur-Muzaffarpur portion of Barabanki-Samastipur M.G. to B.G. conversion scheme is expected to be completed and opened to traffic in January, 1975, and the balance portion is expected to be completed by 1977.

The detailed estimate for the Samastipur-Darbhanga M.G. to B.G. conversion is under preparation taking into account the recent flood levels and work will be commenced after sanction is accorded to it Work on earthwork and bridges on the Jhanjharpur-Laukahaba M G line is in progress and the work is scheduled to be completed by June, 1975 The estimate for the Hasanpur-Sakri M G line is likely to be sanctioned shortly.

Opening of halts at Muraitha and Korahaiya

2901 SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1673 on the 6th August, 1974 regarding demand for opening halts at Muraitha and Korahaiya and state.

(a) whether any date has been decided for the opening of Halts at Muraitha and Korahaiya, if so, what; and

(b) what will be the names of these halts?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) A halt near Korahaiya between Jayanagar and Khajauli stations was opened on 1-9-1974 with temporary name "km 41/80." No date for opening has yet been fixed for the halt near Muraitha between Kamtaul and Jogiara stations.

(b) The names of these halts are under finalisation.

Threatened closure of Industries for non-availability of Furnace and Diesel Oil in Orissa

2902. SHRI P. GANGADEB: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that a large number of Medium and

small scale industrial units in Orissa are being forced to close down due to the non availability of furnace oil, diesel oil and other oil products;

(b) if so, measures taken in this regard, and

(c) whether Government propose to change the present allotment system?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P MAJHI) (a) and (b) No such reports have been received by the Government. Sale of diesel oil from the companies' outlets is at present free Furnace oil supplies are, however, being made by the companies on the basis of 1973-offtakes of individual consumers A 10 per cent efficiency cut is being applied in making furnace oil supplies to all consumers A further 10 per cent cut is also being made in supplies to industrial consumers other than 33 specified core sector industries A quota has also been alloted to the States for supplies to small scale units and State Enterprises which are not registered with any Central sponsoring authorities

(c) No change in the present allotment system is being contemplated at present

Repairs and expansion of Railway Stations in Orissa

2903 SHRI P GANGADEB Will the Minister of RAILWAYS be pleased to state

(a) whether some of the Railway stations in Orissa need repairs and expansion

(b) if so whether Central Government have granted funds therefor during the current year and

(c) if so salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) For the existing level of traffic, major expansion of Railway station buildings in Orissa State is not considered necessary However certain proposals for providing improved passenger amenities is indicated in the reply to part (c) are in progress

Periodic maintenance and repairs which are necessary are carried out regularly as a normal practice on the entire Railway system

(b) Funds for maintenance and repairs are provided every year and this year also funds for this purpose have been provided

Funds have also been provided for passenger amenity works for the entire Railway system

(c) The following passenger amenity works are in progress at various stations in Orissa —

1 **Bhadrak**

Provision of passenger Cover on the platform

2 **Bamra**

Extension of platforms

3 **Berhampur**

(i) Extension of platform

(ii) Provision of passenger Cover on the platform

4 **Bhubaneswar**

Provision of Passenger Cover on the platform

5 **Cuttack**

Provision of Passenger Cover on the platform

6 **Jharsuguda**

Improvement to drinking water supply

7 **Khurda Road**

(i) Provision of Passenger Cover on the platform

(ii) Provision of Foot Over bridge

8 **Puri**

Provision of Passenger Cover on the platform.

मध्य प्रदेश के पश्चिम निमाड़ जिले के खारगोन धार, बडवानी तथा महेश्वर शहरों के लिए रेल लाइनें

2904. **श्री गंगा चरण दीक्षित :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मध्य प्रदेश के पश्चिम निमाड़ जिले में खारगोन, धार, बडवानी और महेश्वर जैसे प्रमुख नगर रेल मार्ग से जुड़े न होने के कारण पिछड़ते जा रहे है, और

(ख) यदि हां, तो इस बारे में सरकार का क्या कार्यवाही करने का विचार है ?

रेल मंत्रालय के उप मंत्री (श्री बूटा सिंह): (क) और (ख) रेलवे का विकास राज्य-वार अथवा क्षेत्रीय आधार पर नही बल्कि समग्र राष्ट्रीय हित के आधार पर किया जाता है। रेलवे की विकास योजनाएं बनाते समय मुख्यत आर्थिक परियोजनाओं की आवश्यकताओं का ध्यान मे रखा जाता है साथ ही भारी उद्योग के क्षेत्र मे विकासशील गतिविधियों के कारण देश के विभिन्न भागों से आने वाली रेल परिवहन की मांग पत्तन सुविधाओं के विस्तार, खनिज और प्राकृतिक साधनो के दोहन और उपयोग सामरिक महत्व और योजना आयोग द्वारा निर्धारित वार्षिक सीमा के रहते रेलवे की परिचालन सम्बन्धी अपनी आवश्यकताओं को भी ध्यान मे रखना पड़ता है।

पांचवी पंचवर्षीय योजना में योजना आयोग ने अनन्तिम रूप से केवल 100 करोड़ रुपये की राशि आवंटित की है जो केवल चालू निर्माण कार्यों, महत्वपूर्ण क्षेत्र की परिवहन सम्बन्धी आवश्यकताओं को पूरा करने के लिए अपेक्षित लाइनों और पहले से की गयी निश्चित वचन बद्धताओं के लिए ही काफी होगी। जैसा कि ऊपर कहा गया है, बहुत सीमित धन उपलब्ध होने के कारण इस समय पूर्वी निर्माण जिले में नयी लाइनों की व्यवस्था करने का कोई प्रस्ताव नही है।

मध्य प्रदेश में मीटर गेज लाइनों का बड़ी लाइन में बदला जाना

2905. **श्री गंगा चरण दीक्षित :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में मीटर गेज लाइनों को बड़ी लाइनों में बदलने के बारे में सरकारी निर्णय की मुख्य बातों का ब्योरा क्या है,

(ख) क्या बहुत सी लाइनों के बारे में सर्वेक्षण पूरा हो चुका है, परन्तु कार्य अभी तक प्रारम्भ नही हुआ है, और

(ग) यदि हां, तो इन लाइनों के सम्बन्ध में मुख्य रूपरेखा क्या है और इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) मध्य प्रदेश मे मीटर लाइनो को बड़ी लाइन में बदलने का कोई प्रस्ताव विचाराधीन नही है।

(ख) और (ग) सम्भवत आशय सतपुड़ा छोटी लाइन रेलवे के उत्तरी भाग और इसकी विभिन्न शाखा लाइनो के आमान परिवर्तन से है। इस सम्बन्ध में यह उल्लेखनीय है कि अलाभकर शाखा लाइन समिति की सिफारिशो के आधार पर मध्य प्रदेश राज्य के अन्तर्गत निम्नलिखित आमान-परिवर्तनों के लिए यातायात सर्वेक्षण करने के आदेश दिये गये —

(1) सतपुड़ा छोटी लाइन रेलवे के उत्तरी भाग और इसकी शाखा लाइनों का आमान परिवर्तन जिसमें (क) परसिया–छिंदवाडा–सिउनी–नैनपुर–माडला फोर्ट (ख) जबलपुर–नैनपुर–बालाघाट–गोंदिया और बालाघाट–कटेंगी और (ग) छिंदवाड़ा–नागपुर शामिल हैं। कुल लम्बाई—665, किलोमीटर, अनुमानित लागत 66.34 करोड़ रुपये।

(2) रायपुर–धमतारी छोटी लाइन खण्ड को बडी लाइन मे बदलना। लम्बाई— 89 किलोमीटर, अनुमानित लागत 4 54 करोड रुपये।

उपर्युक्त मद (1) के लिए सर्वेक्षण पूरा हो चुका है और रिपोर्ट पर विचार किया जा रहा है। मद (2) के लिए सर्वेक्षण हो रहा है। सभी दृष्टियो से इन रिपोर्टों पर विचार हो जाने के बाद ही इन आमान-परिवर्तनो के बारे में अन्तिम निश्चय किया जायेगा वशर्ते धन उपलब्ध हो।

छत्तीसगढ़ और विध्य प्रदेश मे रेल सेवा शुरू करने के लिए मध्य प्रदेश सरकार का अनुरोध

2906. **श्री बगा चरण दीक्षित** : क्या रेल मत्री यह बताने का कृपा करेग कि

(क) क्या छत्तीसगढ और विन्ध्य प्रदेश क्षेत्रो मे रल सेवा शुरू करने के लिए मध्य प्रदेश सरकार ने केन्द्रीय सरकार स अनुरोध किया है, और

(ख) यदि हा, तो इस बार म केन्द्रीय सरकार की क्या प्रतिक्रिया है और इस बारे मे क्या कार्यवाही की गई है ?

रेल मत्रालय मे उप मत्री (श्री बूटा सिह) : (क) जी हा।

(ख) मध्य प्रदेश के छत्तीसगढ और विध्य प्रदेश के क्षेत्रो मे पडने वाली डल्ली–राजहरा से जगदलपुर रल लाइन के लिए अन्तिम स्थल निर्धारण-एव-धारायी सर्वेक्षण का काम हो रहा है और इसके दिसम्बर, 1974 तक पूरा हो जाने की आशा है। सर्वेक्षण रिपोर्टों के प्राप्त हो जाने, उन पर विचार कर लिये जाने और साथ ही इस प्रयोजन के निमित्त धन उपलब्ध होने पर निर्माण हाथ मे लेने के लिए इस प्रस्ताव पर विचार किया जायेगा।

खण्डवा में रेलवे पुल को चौड़ा करने के लिए सर्वेक्षण

2907. **श्री गंगा चरण दीक्षित** : क्या रेल मत्री यह बताने की कृपा करेग कि

(क) क्या मध्य रेलवे के खण्डवा नगर मे रेलवे पुल को, जिसके नीचे से कचहरी आने जाने का रास्ता गुजरता है, चौडा करने के बारेमे सर्वेक्षण पूरा हो गया है,

(ख) यदि हा तो यह पुल कब तक चौडा कर दिया जाएगा, और

(ग) यदि रेलवे पुल को चौडा करने का काम निकट भविष्य मे पूरा नही किया जा रहा है, तो इसके क्या कारण है ?

रेल मत्रालय मे उप मत्री (श्री बूटा सिह) (क) जी नही।

(ख) प्रश्न नही उठता।

(ग) वतमान पुल का चौडा करना व्यावहारिक नही है। लेकिन, एक नये पुल का निर्माण किया जा सकता है वशर्ते राज्य सरकार द्वारा इस तरह का प्रस्ताव किया जाय तथा वतमान नियमो के अनुसार अपने हिस्से के खर्च को वहन करने का वचन दिया जाये। अभी तक राज्य सरकार की ओर से ऐसी सुविधा उपलब्ध करने के लिए रेल प्रशासन को कोई निश्चित प्रस्ताव प्राप्त नही हुआ है।

Supply of Furance Oil to Industrial units in Gujarat

2908 SHRI D D DESAI Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the procedure laid down for giving furnace oil to established users and industrial units in Gujarat,

(b) whether Indian Oil Corporation is not releasing furnace oil to small scale industrial units of Gujarat, and

(c) if so, reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Established consumers of furnace oil are entitled to draw supplies from their supplying Companies. In making supplies a 10 per cent cut is however being applied over 1973 off-takes in the case of 33 priority industries and 20 per cent cut in the case of all other industries. For any additional requirements the parties have to apply to the allocation sub-committee of the Standing Committee on Furnace Oil headed by Secretary and Director General, Technical Development. After the approval of the Sub-Committee necessary authorization is given to the oil companies for release of additional quantities.

A bulk quota is also placed at the disposal of State Governments with effect from 1st July, 1974 to meet the requirements of small scale units and state enterprises which are not registered with any Central sponsoring authority. The State Governments are to set up their own mechanism for allocation of this quota. For Gujarat, an allocation of 73,233 KLs has been made for this purpose for the current year.

(b) IOC is releasing Furnace Oil to all customers as per their entitlement based on 1973' off-take/allotment made by Standing Committee on Furance Oil. IOC is also releasing furnace oil to customers to whom allocation has been made by the State Committee.

(c) Does not arise in view of reply to (b) above.

Allocation of more diesel oil to Gujarat State

2909. SHRI D. D. DESAI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Gujarat Government had approached the Centre for more allocation of diesel oil to the State;

(b) if so, Central Government's reaction thereto; and

(c) the quantity of diesel oil supplied to Gujarat during August, September, October and November, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c) Yes, Sir. Gujarat Government has approached this Ministry for making increased diesel allocation to the State. Supply of diesel oil is, however, at present free and no State-wise quotas are being allocated. Demand of Gujarat has been met in full and supplies have been increased by the oil companies to the extent required. Figures of diesel supplies are not mainatined on a State-wise basis.

Applications for Industrial Licences for setting up Chemical Industries in Gujarat

2910. SHRI D. D. DESAI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total number of applications received for grant of industrial licences for Chemical Industries in Gujarat upto November, 1974; and

(b) how many of them have been disposed of?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) The total number of applications received for setting up Chemical Industries in Gujarat in the Secretariat for Industrial Approvals from 1st November, 1973 to 26th November, 1974 was 112.

(b) 71.

Damage to Railway Lines in Bihar on 6th November, 1974

2911. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of Railway lines were found dislodged and fish plates removed on the day of Bihar Bandh on the 6th November, 1974; and

(b) if so, the number of arrests made in this connection?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Yes

(b) Nil

Supply of Soda Ash to Industries manufacturing sodium silicate

2912 SHRI SUKHDEO PRASAD VERMA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government are aware that small industrial units manufacturing sodium silicate are hit hard due to the higher price and irregular supply of soda ash, and

(b) if so the steps Government propose to take to check the price rise and to maintain the supply?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R GANESH) (a) and (b) Due to present production of soda ash being short of demand consumers including the small scale units manufacturing Sodium Silicate are experiencing some difficulty in obtaining their full requirement

There is no control on price for distribution of soda ash However the Silicate industry is receiving most of its requirements direct from the manufacturers of soda ash Adequate further manufacturing capacity has been approved to meet the country's demand and as against the Fifth Five Year Plan target of 11 lakh tonnes of capacity for production of soda ash capacity to the extent of 14 55 lakh tonnes has already been covered by licences letters of intent

Repairs and expansion of Railway Stations in Goa

2914 SHRI PURUSHOTTAM KAKODKAR Will the Minister of RAILWAYS be pleased to state

(a) whether some of the Railway stations in Goa need repairs and expansion and

(b) if so, the steps taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) For the existing level of traffic expansion of the Railway station buildings in Goa Territory is not considered necessary Periodic maintenance and repairs which are necessary are carried out regularly as a normal practice on the entire railway system

(b) Does not arise

International meet of lawyers and Jurists in India

2915 SHRI NOORUL HUDA Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) the matters likely to be discussed in the proposed International Meet of Lawyers and Jurists in India during the last week of December 1974

(b) who are the conveners of such a meeting and

(c) the expenditure to be incurred and who would bear it?

THE MINISTER OF STATE IN THE MINISTRY OF LAW JUSTICE AND COMPANY AFFAIRS (DR SAROJINI MAHISHI) (a) The following subjects are on the Agend of the Fifty-sixth Conference of the International Law Association proposed to be held at New Delhi from 28th December 1974 to 4th January 1975

1 Air Law and Space Law

2 Foreign Investments in Developing Countries

3 International Monetary Law

4 International Terrorism

5 Law of Water Resources

6 International Security Cooperation

7. Charter of the United Nations.

8. Traffic Accidents.

9. Law of the Sea.

10. International Commercial Arbitration.

(b) The International Law Association, Regional Branch (India), New Delhi.

(c) The International Law Association, Regional Branch (India) have estimated that the total expenditure involved in holding the Conference will be about Rs 6,43,000, out of which Rs 3,43,000 will be met by the Regional Branch from its own resources and the balance i.e. Rs 3,00,000 from the grant-in-aid from the Government of India.

Zonal Railway User's Consultative Committee for North-east Frontier Railway

2916. SHRI NOORUL HUDA: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons for vacancies in the Zonal Railway User's Consultative Committee for Northeast Frontier Railway;

(b) whether the Members of Parliament representing Assam, Tripura, West Bengal and the adjoining areas are contracted for filling up the vacancies;

(c) how many meetings of the Committee were held during the years 1972-73 and 1973-74; and

(d) what are the reasons for irregular functioning of the Committee?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) As per Constitution, all the interests have been represented on the Zonal Railway Users' Consultative Committee of the Northeast Frontier Railway. However, name of a representative of the Cooch Behar-Alipurduar Passengers' Association which has been given representation on the Zonal Committee is awaited from the Association.

(b) The recommendations received from the Members of Parliament for nominations of persons under "Special Interests" are given due consideration.

(c) Two meetings were held during 1972-73 and four meetings during 1973-74.

(d) The Committee is functioning regularly.

Steps to reduce the stronghold of foreign firms on Indian Drug Industry

2917 SHRI K S CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government propose to reduce the stronghold of foreign firms and unauthorised repatriation on excess production of formulations based on imported raw materials;

(b) whether Government propose to give encouragement to Indian medium scale sector of drugs industry to eliminate shortage of drugs in the country and make the drugs available to the millions of patients in the country; and

(c) what are the strategic and essential raw materials and their requirement during 5th Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). The steps taken by Government to regulate the activities of foreign firms and to encourage the Indian sector are as follows:—

(i) The Indian sector of the industry is given preference in approval of manufacturing schemes;

(ii) Manufacture of increasing number of bulk drugs through public sector undertakings;

(iii) Industrial licences are usually not issued to foreign firms for producing formulations unless linked with the production of bulk drugs

(iv) They are asked to take up production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non associated formulators in the country as a condition for being permitted expansion in capacity or for taking up new activity

Appropriate export obligations are also imposed

(v) Under the Foreign Exchange Regulations Act 1973 the foreign drug manufacturing companies are required to bring down the foreign equity to 74 per cent

(vi) When foreign majority companies are granted substantial expansion they are required to dilute the foreign equity in accordance with the following formula —

40 % of the estimated cost of expansion	In the case of companies with Exceeding 75 % foreign holding
33 1/3	,, Exceeding 60 but not exceeding 75
25%	Exceeding 51 but not exceeding 60

There are over 2300 drug manufacturing units in the country producing formulation whose number runs into thousands The shortages generally arise for some of these formulations in localised areas for which equivalent substitutes are generally available Whenever these shortages come to the notice of the Government arrangements are made to ensure their supply to the extent feasible However with a view to ensuring the regulated and rapid growth of drug manufacturing and further with a view to ensuring that all essential drugs are available to the consumer at reasonable prices, Government have constituted a Committee under the Chairmanship of Shri Jaisukhlal Hathi with *inter alia* following terms of reference

"To make recommendations for promoting the rapid growth of the drugs industry and particularly of the Indian and Small scale industries' sectors In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry

To examine the measures taken so far to reduce the prices of drugs for the consumer and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations

To recommend measures for providing essential drugs and common household remedies to the general public especially in the rural areas'

The Committee is expected to submit its report by February 1975

(c) A statement showing the essential raw materials for bulk drugs and their estimated requirements during the Fifth Five Year Plan is laid on the Table of the House [*Placed in Library. See* No LT-8639/74].

Approval for manufacture of Metranidazole by M/s. May and Baker

2918. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) who is authorised to issue permission under diversification DGTD or the administrative Ministry;

(b) whether M/s. May & Baker were granted approval for the manufacture of Metranidazole in 1968 under permission letter or was it an approval under diversification;

(c) if approval was under diversification, why the approval was granted by his Ministry who are not competent to do so;

(d) the reason or reasons of converting this permission letter and not others issued to this firm into COB; and

(e) whether Government propose to scrap all the permission letters and COB licences issued to this firm?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). Under the liberalised Industrial Licensing Policy announced by the Government vide press note dated the 27th October, 1966 industrial undertakings going in for the manufacture of "new articles" were required to intimate to the DGTD or other appropriate technical authority concerned the particulars regarding their revised programme of manufacture and the "new articles" proposed to be manufactured and also the value and nature of the minor balancing plant, if any, added by them. No permission, as such, was required either from the DGTD or from the Administrative Ministry.

(d) In accordance with the Notification issued on 18th July, 1970 by the Ministry of Industrial Development, foreign majority companies in addition to some other categories of industrial undertakings were required to secure a COB licence for activities established by them under the liberalised scheme which had been in force since 1966. Accordingly M/s. May & Baker applied for the grant of COB licence on 28th August, 1970 and COB licence was granted on the 6th July, 1971 for the manufacture of Metronidazole and some other items.

(e) The COB licence and permission letters granted to this party are valid authorisations granted by the Government.

Manufacture of Bulk Drugs by foreign firms

2919. SHRI K. S. CHAVDA:
SHRI SATYENDRA NARAIN SINHA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the names of bulk drugs for captive consumption which are being manufactured at present by foreign firms;

(b) the licence number, permission letter and date under which these bulk drugs are being manufactured, separately;

(c) whether any bulk drugs are manufactured by these companies without any industrial licence; if so, under what authority they are being manufactured and upto what extent; and

(d) what percentage of the bulk drugs produced is being made available to non-associated formulators during the last three years, item, quantity and value-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (d). A statement indicating the name of the foreign

company, name of the bulk drug manufactured, Licence No./Permission No./Objection Letter No. and date and quality supplied to others is laid on the Table of the House. [*Placed in Library. See* No. LT-8640/74]. All these bulk drugs are covered by industrial licences/permission/no objection letters and the authorisations available under the Ind. (Dev. & Reg.) Act, 1951.

Survey for Gaya-Rajgir Rail Link in Bihar

2920. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the survey for the Gaya-Rajgir Rail Link in Bihar has since been completed;

(b) if so, the main findings of this survey; and

(c) if not, the likely date by which the date when the survey would be completed and the date when the survey was started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c) A proposal for carrying out a survey for a new Rail link between Gaya and Rajgir has been included in the current year's Railway Budget. The survey will be taken up shortly and is expected to be completed in the current working season.

Equity capital and other assets of certain foreign drug firms

2921. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what was the initial equity, present equity capital, bonus and preference shares and assets of M/s. Pfizers, Glaxo, May & Baker, Sandoz and Hoechst in our country, separately;

(b) what are the formulations licensed to them, the capacities individual or clubbed together;

(c) prices of how many items of these firms were approved under package deal and in how many cases their prices were reduced during the last three year, the prices of these items in 1972 and what was the mark up allowed to them; and

(d) what are the items for which price increase was given to these firms in 1974 according to guidelines issued by his Ministry, what was the increase in prices, item-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) A statement indicating the initial equity, present equity capital, bonus and preference shares and assets of M/s. Pfizers, Glaxo, May and Baker, Sandoz and M/s. Hoechst is laid on the Table of the House. [*Placed in Library. See* No LT-8641/74].

(b) to (d). Information is being collected and will be laid on the Table of the House.

Proposals for Manufacture of foot and mouth vaccine

2922. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) the names of the firms whose proposal for the manufacture of Foot and Mouth Vaccine has been approved recently specifying the capacity and value in each case;

(b) what is the estimated demand of this item during the Fifth Five Year Plan and was it necessary to approve this for foreign firms in the context of this demand;

(c) whether this know-how was available with the Indian firms and if so, what was the necessity of giving this to foreign firms; and

(d) which are other formulations given to foreign firms during Fourth Five Year Plan period?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Details are given below:—

S. No.	Name of the firm	Capacity approved	Value Estimated
			Rs.
1.	Hoechst Pharmaceuticals Ltd.	10 million doses	50·0 million
2.	M/s Pfizer Ltd.	4 million doses	20·0 million.
3.	M/s Bhartiya Agro Industries Foundation	3·2 million doses	25·6 million.

(b) and (c). The demand in 1978-79 is estimated at 15 million doses. The know-how for the manufacture of Foot and Mouth Disease Vaccine is available with the Indian Veterinary Research Institute who are manufacturing this vaccine in small numbers. Government have an ambitious programme of dairy development during the Fifth Plan period and this vaccine will be required in the country in large quantities. In view of the fact that the drugs are essential items, it is considered desirable to have more than one source of supply for each drug to ensure its availability. Since there was no proposal from any Indian unit the proposals of two foreign companies viz. M/s. Hoechst Pharmaceuticals Limited and M/s. Pfizer Limited, Bombay were approved.

(d) Details of formulations approved during the Fourth Five Year Plan period in favour of foreign majority companies not linked with the bulk drugs produced/to be produced by the concerned companies are given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-8642/74].

Corruption in Sale of Reservation Tickets in New Delhi/Delhi Stations

2923. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware of the rampant corruption prevailing in the sale of reservation tickets in the New Delhi/Delhi Railway stations;

(b) whether no follow-up action was taken following the Minister's surprise visit to New Delhi station recently and his promise to eradicate the evil; and

(c) if so, whether the matter has been probed to find out why the situation could not be improved and why the administration is dragging its feet to implement the Minister's assurance?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Certain mal-practices in the sale of reservation tickets in the New Delhi and Delhi Junction Railway Stations have been reported from time to time. While eradication of such mal-practices is a continuous process, effective action is taken on each such individual complaint.

(b) Preventive checks which are being carried out as a routine have been intensified after the visit of the Minister and this is yielding results.

(c) Apart from action on individual complaints and the preventive checks, a Committee of Members of Parliament has also been constituted to look into various problems arising out of existing procedures and rules pertaining to the sale of tickets and reserved accommodation and suggest measures to effectively check the various types of irregular practices.

Third Terminal for Delhi

2924 SHRI BISHWANATH JHUNJHUNWALA Will the Minister of RAILWAYS be pleased to state

(a) whether on final decision regarding the Third terminal in Delhi has yet been taken, and

(b) if so the reasons therefor and salient features of the work done so far?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Yes

(b) The proposals for location of the Third terminal station in Delhi area at Safdarjung and Nizamuddin were considered but had to be abandoned for reasons of incompatibility with other public requirements and environmental considerations its location at Brar Squire is under active consideration The execution of the work can commence only after the location is finalised subject to availability of funds

Agreement with Bangladesh for Import of Petrol

2925 SHRI BISHWANATH JHUNJHUNWALA Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether India has approached the Government of Bangladesh for the import of petrol, and

(b) whether any agreement has been reached on this issue and if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C P. MAJHI) (a) No, Sir

(b) Does not arise

Trains cancelled in Maharashtra and Gujarat due to shortage of coal and water

2926 SHRI P M MEHTA Will the Minister of RAILWAYS be pleased to state

(a) whether during the months of August September and October 1974 many trains were cancelled in Maharashtra and Gujarat due to shortage of coal and water,

(b) if so the total number of trains so cancelled in these States,

(c) how long these trains will remain cancelled,

(d) whether the cancellation of trains has greatly affected the State transport, and

(e) whether non-movement of goods in these States has affected all the industries?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) No new passenger trains were cancelled during these months in Maharashtra and Gujarat due to shortage of coal One pair of passenger train was however, cancelled in Gujarat from 11-9-1974 due to shortage of water

Some goods trains on steam traction in Gujarat were cancelled averaging about one pair of trains daily during the 3 months period

(c) The goods services have already been normalised Passenger trains which had been cancelled on account of coal shortage earlier and the All India Railwaymen strike in May, 1974 were being gradually restored after the strike All trains could not be restored by the end of July, 1974 when it become necessary due to shortage of steam coal to stop further restoration The required passenger trains will be restored only after the coal stock position improves and stabilises at a reasonable level The cancelled passenger trains on account of water

shortage will be restored when the water availability improves.

(d) No.

(e) No. Diesel locomotives were deployed to ensure that industries were not affected.

Restoration of Normalcy in Working of Railways

2927 SHRI NOORUL HUDA Will the Minister of RAILWAYS be pleased to state

(a) the total number of man-hours lost during May, 1974 due to the All India Railway strike; and

(b) the steps Government are taking to have a meaningful dialogue with labour representatives of the Railways so as to restore normalcy in the working of the Railways?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The loss of man-hours at a result of strike of May, '74 by a section of railway employees was approximately 573 06 lakhs man-hours or 71.63 lakhs man-days.

(b) The Permanent Negotiating Machinery and the Joint Consultative Machinery on Railways provide an adequate forum for settling all disputes across the table and all efforts are being made to see that staff grievances are settled expeditiously.

Legislation to raise Marriage Age of Girls and Boys

2928 SHRIMATI SAVITRI SHYAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether he has a proposal to bring in a legislation to raise the marriage age of girls to 18 and that of boys to 21 for family planning; and

(b) if so, the outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). A proposal for raising the minimum age for marriage in the case of a male to twenty-one years, and in the case of a female to eighteen years, by way of amendment to the Child Marriage Restraint Act, 1929, has been receiving the attention of the Government and it may take time for a final decision to be taken in the matter

Improper distribution of Special Grades of Synthetic Rubber

2929 SHRI B. V. NAIK. Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether the Rubber Goods Manufacturers' Associations in Northern India has made any allegations against M/s. Synthetics and Chemicals Limited, Bareilly, (U.P.) about the improper distribution of their special grades of synthetic rubber *viz.* Synaprene 1958;

(b) if so, what are the points contained in the allegations;

(c) whether the allegations have been enquired into; and

(d) if so, the findings thereof and the action Government propose to take in this behalf?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Yes, Sir

(b) The main allegations relate to non-supply of material to purchasers, increase in price and diversification from a grade of rubber Synaprene 1958 whose price is controlled, to Synaprene 1941, the price of which is not controlled.

(c) and (d). The matter is receiving the attention of the Government.

Railway Board's Criticism by Members of Parliament

2930 SHRI PRIYA RANJAN DAS MUNSI Will the Minister of RAILWAYS be pleased to state whether the criticism made by the Members of Parliament about the activities of Railway Board are properly responded and analysed by the Board to rectify its defects?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). Yes, This is invariably done by the Railway Board.

Setting up of Phosphatic Fertilizer Plant in Karnataka State

2931. SHRI P R. SHENOY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether the Karnataka State Industrial Development Corporation has obtained a letter of intent for establishing a phosphatic fertilizer plant in joint sector in South Kanara District;

(b) when was the letter of intent obtained;

(c) the reason for not taking any further steps in establishing the plant;

(d) whether there are other parties interested in utilizing the letter of intent either in the joint sector or in the private sector; and

(e) whether a phosphatic fertilizer plant is absolutely necessary in Karnataka State and if so, what steps Government propose to take to establish the same?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). A letter of intent for setting up a phosphatic fertilizer plant at Mangalore was issued on 20-4-1974 in favour of M/s. Mysore State Industrial Investment and Development Corporation Limited in the joint sector. Further steps to establish the plant are to be taken by the party within a period of 12 months.

(d) Government have not received any such proposal.

(e) The letter of intent was issued only after taking into account the need for a phosphatic fertilizer plant in the State.

New Fertilizer Plant in Sidhi District (M P.)

2932 SHRI R V BADE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether Government have any scheme for setting up a new Fertilizer Plant in Sidhi District of Madhya Pradesh to utilise the vast deposit of Singrauli coal fields?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH)· There is at present no scheme for setting up of a fertilizer plant in the Sidhi District of Madhya Pradesh.

गत तीन महीनों में डकैती चोरी और लूट की घटनाएं

2933. **श्री शंकर दयाल सिंह :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) गत तीन महीनों में भारतीय रेल के विभिन्न जोनों में डाके, चोरी और लूट पाट की कितनी घटनाएं हुई , और

(ख) उनकी रोकथाम के लिए सरकार ने क्या ठोस कार्यवाही की है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) भारतीय रेलों के विभिन्न क्षेत्रों में पिछले तीन महीनों (अगस्त, सितम्बर, अक्टूबर, 1974) में गाडियों में डकैती के 28 मामले, यात्रियों के माल की चोरी के 1685 मामले और लूटपाट (डकैती) के 55 मामले हुए ।

(ख) ऐसे मामले कानून और व्यवस्था के अन्तर्गत आते है । पुलिस, जिसमे रेलवे पुलिस शामिल है, राज्य का विषय है और राज्य सरकारे रेल गाडियो मे ऐसे अपराधो की रोकथाम के लिए अपने उपलब्ध साधनो के अनुसार आवश्यक कार्यवाही कर रही है जैसे रात मे चलने वाली महत्वपूर्ण गाडियो मे मार्ग रक्षी व्यवस्था, सादे लिबास मे हथियार बन्द पुलिस द्वारा सदिग्ध व्यक्तियो का पीछा किया जाना, स्टेशन प्लेटफार्मों और तीसरे दर्जे के प्रतीक्षालयों मे नियमित गश्ती दल तैनात करना, अपराधियो और कुख्यात बदमाशों पर निगरानी रखना, निवारक कानूनो के अन्तर्गत विशिष्ट अपराधो के लिए अपराधियो पर मुकदमे चलाना आदि ।

गत छः महीनों में बिना टिकट यात्रा करने वाले यात्री

2934. श्री शंकर दयाल सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) गत छ महीना मे पूरे देश मे जोनवार बिना टिकट यात्रा करने वालो की कुल सख्या कितनी थी, और

(ख) बिना टिकट पकडे गये यात्रियो से कितनी राशि वसूल की गई ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) और (ख) 6 महीनो के दौरान अर्थात् अप्रैल, 1974 से सितम्बर 1974 तक बिना टिकट अथवा अनुचित टिकट पर यात्रा करते हुए पकडे गये यात्रियो की सख्या, किराये और अधिप्रभार के रूप मे वसूल की गयी रकम सभा पटल पर रखे गये विवरण मे दी गयी है [*Placed in Library. See* No. LT 8643/74]

अक्तूबर 1974 और नवम्बर, 1974 के आकड़े अभी क्षेत्रीय रेलो से प्राप्त होने है ।

उत्तर बिहार में गाड़ियों का विलम्ब से चलना

2935. श्री विभूति मिश्र : क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पिछली रेल हडताल के बाद से उत्तर बिहार मे विशेषत बगाह और नरकटियागज से चलने वाली रेलगाडिया पहले जोघाट और समस्तीपुर ठीक समय पर नही पहुचती है ,

(ख) क्या इस लाइन के साथ सौतेला व्यवहार किया जा रहा है , और

(ग) यदि हा, तो इसके क्या कारण है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) जून से अक्तूबर 74 की अवधि में बगाहा/नरकटियागज और पहलेजाघाट/समस्तीपुर के बीच गाडियो का समय पालन प्राय सन्तोषजनक रहा है और सुधार की प्रवृत्ति भी दिखायी पड रही है ।

(ख) जी नही ।

(ग) प्रश्न नही उठता ।

कमजोर रेलवे लाइनों के कारण उत्तर बिहार में गाड़ियों का रद्द किया जाना

2937. श्री विभूति मिश्र क्या रेल मंत्री यह बताने की कृपा करेंगे कि

(क) चालू वर्ष मे उत्तर बिहार मे पूर्वोत्तर रेलवे की कमजोर रेलवे लाइनो के कारण कितनी बार रेलगाडिया बन्द रही , और

(ख) वहा रेलवे लाइनो को मजबूत बनाने के लिए सरकार ने कोई योजना बनाई है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) चालू वर्ष मे उत्तर बिहार मे कमजोर रेलपथ होने के कारण गाड़ियो को बन्द करने का कोई मामला नही है ।

(ख) प्रश्न नही उठता ।

Latest Balance Sheet of Maruti Limited

2938 SHRI MADHU LIMAYE:
SHRI BHAGIRATH BHANWAR

Will the Minister of LAW JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether the latest Maruti Ltd Balance Sheet gives information about the authorised, subscribed and paid-up capital, and

(b) if so, the details thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA) (a) Yes, Sir

(b) The details of authorised, subscribed and paid-up capital as shown, in the Company's latest Balance Sheet as on 31st March 1974 are as follows —

Authorised	
75,00,000 Equity Shares of Rs 10/ each	7,50,00,000
2,50,000 9 5 % Redeemable Preference shares of Rs 100/- each	2,50,00,000
Total	10,00,00,000
Issued and Subscribed	
15,43,345 Equity shares of Rs 10/- each fully paid-up in cash	1,54,33,450

Election and Nomination to National Railway Users' Consultative Council

2939 SHRI DHAMANKAR
SHRI VASANT SATHE:

Will the Minister of RAILWAYS be pleased to state

(a) whether the National Railway Users Consultative Council the apex body of Railway consultative organisations in the country, has not been functioning since June, 1972 despite the fact that elections and nominations to the Council had been completed more than two years ago

(b) if so, the reasons therefor, and

(c) steps taken to involve such Council more usefully in guiding the Railway Administration and suggesting ways to improve its operational efficiency in the interest of the country?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) and (b) The National Railway Users Consultative Council could not function for the term from 1-7 1972 to 30-6-1974 as certain proposals to make it more broad-based and representative in character were under consideration Nominations to the Council were not finalised although some Railways had elected their representatives

(c) The National Railway Users' Consultative Council for the term from 1 7-1974 to 30-6-1976 will be reconstituted shortly

Victimisation of Railmen

2940 SHRI DHAMANKAR Will the Minister of RAILWAYS be pleased to state

(a) whether attention of Government has been drawn to the news report that according to spokesman of different railwaymen's unions, railmen are still being victimised by laying off the casual workers, and

(b) if so, what is the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Casual labourers are engaged on day-to-day basis on seasonal works or on project works and their continuance depends upon the needs of the work and resources position.

Reduction in Court Fees

2941. SHRI P M. MEHTA:
SHRI V. MAYAVAN:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state·

(a) whether Central Government have taken up the question of reducing court fees with the State Governments;

(b) if so, the reaction of the State Governments thereto; and

(c) to what extent it has been reduced in the Gujarat State?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE)· (a) to (c). No Sir. "Court-fees" except in regard to the Supreme Court and courts in the Union territories is a matter within the exclusive jurisdiction of the State Legislature. However, some data in regard to court fees in the various States are being collected with a view to considering whether any uniformity can be evolved.

Crimes on Mail and Passenger Trains between Howrah and Puri

2942. SHRI SAMAR GUHA· Will the Minister of RAILWAYS be pleased to state:

(a) whether many criminal incidents like burglary, theft and dacoity take place frequently in Howrah-Puri Mail and Passenger trains;

(b) if so, nature and number of such incidents during 1973 and 1974;

(c) whether rice smugglers very often stop such trains on the way; and

(d) if so, steps taken by Government to check such criminal incidents?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

(c) Yes.

(d) The question of rice smuggling by rail route out of Orissa and detention of trains for checks was discussed at a high level meeting held by Chief Secretary Government of Orissa on 21-8-1974. The State Government of Orissa accepted suggestion for providing mobile squads in the affected Mail/Express trains. As a follow-up action, alarm chain apparatus have been blanked off on all important trains over vulnerable sections to avoid detention to trains by alarm chain pullings.

Discussions with Railway Minister for handing over Barauni Rail Yard to Army

2943. SHRI P. M. MEHTA:
SHRI P. A. SAMINATHAN:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether he had discussions on the 10th November, 1974 with the Railway Minister for handing over the Barauni Rail Yard to the Army authorities;

(b) if so, the outcome thereof; and

(c) the reasons for handing over the Railway Yard to the army authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) to (c). Pilferage and mishandling

of Petroleum products are reported at Railway yard at Garhara, Barauni Since this Rail yard falls within the jurisdiction of Railway Administration, the matter has been brought to the notice of the Minister for Railways by the Minister of Petroleum and Chemicals for taking suitable steps

Advance Increments to Officers, Class III and Class IV Employees

2944 SHRI RAJDEO SINGH Will the Minister of RAILWAYS be pleased to state

(a) the number of Railway employees allowed advance increments, railway-wise,

(b) whether such increments have also been allowed to officers, and

(c) if so, what is the percentage of such employees of the total number of loyal workers, separately for officers, Class III employees and Class IV employees?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) The number of advance increments allocated to various Railways to be allowed before 31-12-1974 is as under

Railway	No allocated
Central	44,200
Eastern	72,200
Northern	69,200
North Eastern . . .	59,200
Northeast Frontier . . .	18,500
Southern	60,200
South Central . . .	55,200
South Eastern . . .	99,200
Western	88,200

(b) Yes.

(c) Out of the total number of advance increments so far given, only one percent of the recepients happen to be officers and the rest 99 per cent Class III and Class IV staff approximately on 50 50 basis

Inducement to Loyal Railway Employees

2945 SHRI RAJDEO SINGH Will the Minister of RAILWAYS be pleased to state

(a) whether to give inducement and pat to the loyal Railway employees their sons and daughters were given appointments,

(b) whether alongwith them sons/daughters of officers have also been given any appointments, and

(c) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) On the Railways there was a procedure for offering appointment on compassionate grounds to wards of employees who die in service In the wake of a number of agitations and work stoppages on the Railways Government have decided that this procedure may be extended to cover sons and daughters of employees who show outstanding devotion to duty

(b) Yes but very restrictedly

(c) The orders issued provide for filling of vacancies in Class III and Class IV services and do not debar consideration of the cases of wards of officers for appointment in Class III and Class IV posts

Extension of Service to Officers and Staff in Higher Grades and other Loyal Workers

2946 SHRI RAJDEO SINGH Will the Minister of RAILWAYS be pleased to state

(a) whether Government have considered the implications of the service

extensions allowed to officers, staff in higher grades and other loyal workers; and

(b) whether Government propose to review such cases and cancel the extension where it was wrongly given?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Yes. Extensions have been granted purely on merits in exceptional cases. The question of any review or cancellation of such well-thought-of extension therefore does not arise.

Cases pending with Supreme Court and High Courts

2947. PROF. NARAIN CHAND PARASHAR. Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the number of cases including Appeals, which have been pending with the Supreme Court and the various High Courts of the country for over (a) five years and (b) three years?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): A statement is attached.

Statement

Name of High Court	Over 3 years as on 30-6-1974	Over 5 years as on 31-12-1975
1	2	3
Allahabad . .	30,398	13,766
Andhra Pradesh .	354	33
Bombay . . .	18,704	8,035
Calcutta . .	31,006	19,526
Delhi . . .	6,962	2,633
Gauhati . . .	636	307
Gujarat . . .	3,515	561
Himachal Pradesh .	134	256
Jammu & Kashmir .	217	76
Karnataka . .	530	29
Kerala . . .	307	41
Madhya Pradesh .	5,330	2,395
Madras . . .	3,577	959
Orissa . . .	749	219
Patna . . .	5,682	2,507
Punjab & Haryana .	8,995	5,889
Rajasthan . .	2,170	942
Supreme Court	3,392	628

Ex-Managing Director of Hindustan Antibiotics Limited joining M/s. John Wyeth

2948. SHRI MUKHTIAR SINGH MALIK:
SHRI BIRENDER SINGH RAO:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether ex-Managing Director of Hindustan Antibiotics Limited has joined M/s. John Wyeth Limited, as an adviser; and

(b) whether the collaboration agreement in question is in the best interest of M/s. John Wyeth Limited and is not beneficial to the above Public Undertaking?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Yes, Sir. He joined as a consultant to M/s Wyeth Laboratories' Dyescorea Plantation at Bangalore. The Company has informed that he is no longer working with them.

(b) The terms of foreign collaboration were approved by the Board of Directors of HAL, and later by the Government also after these had been considered by the Foreign Investment Board.

Circulation of Revised Rates of certain Allowances

2949 SHRI BHOLA MANJHI Will the Minister of RAILWAYS be pleased to state

(a) whether Railway administration has received any representation from any Member of Lok Sabha for circulation of Night Duty Allowance, National Holiday Allowance, Messing Allowance and Travelling Allowance rates on the basis of revised scale of pay with effect from 1st January, 1973,

(b) whether the above rates have not been circulated by the Railway Board so far; and

(c) if so, the reasons therefor and the time upto which the above rates will be circulated?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Yes.

(b) Not yet

(c) The revision of rates of these allowances is under consideration and instructions in this connection are expected to issue shortly

Change of Duty Roster of Operators of Ghaziabad Railway Station, Delhi Division (Northern Railway)

2950 SHRI BHOLA MANJHI Will the Minister of RAILWAYS be pleased to state

(a) whether the Duty Roster of Panel Operators of Ghaziabad Railway Station, Delhi Division has been changed from 6 hours to 8 hours without any factual job analysis,

(b) whether a member of Lok Sabha has represented for changing the duty roster from 8 hours to 6 hours, and

(c) if so, the action taken so far?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) With the opening of the new Power Cabin at the Ghaziabad Railway Station centralising the line clearing work, the Assistant Station Masters who were previously working in the East Cabin of that station on 6 hours' shift duty under Intensive' classification based on the then workload are now employed on 8 hours shift duty in the changed circumstances

(b) Yes

(c) Necessary assessment of the present actual workload of the staff concerned will be made as early as possible

गत छः मास से बिहार में चल रहे आन्दोलन के कारण रेलगाड़ियों और सम्पत्ति को क्षति

2951. श्री नाथूराम अहिरवार :
श्री एस० आर० दामाणी :

क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले छ मास में बिहार में चल रहे आन्दोलन में कितनी रेलगाड़ियों को रोका गया और कितनी रेलगाड़ियों को रोक कर क्षति पहुंचाई गई और कितने मूल्य की रेलवे सम्पत्ति नष्ट की गई

(ख) तोड़ फोड़ करने के कारण कितने व्यक्तियों को दण्ड दिया गया, और

(ग) यात्रियों की जान व माल की सुरक्षा के लिये सरकार द्वारा क्या प्रबन्ध किया गया है ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) 212 सवारी गाड़ियों के संचलन में बाधा डाली गयी और लगभग इन सभी गाड़ियों को क्षति पहुंचायी गयी। चलस्टाक और गाड़ी संचलन से संबंधित दूसरे उपस्करों को पहुंची क्षति का अनुपात लगभग 26 00 लाख रूपये लगाया गया है।

(ख) पुलिस को इन घटनाओं की रिपोर्ट की गयी थी। उसने ये मामले दर्ज कर लिये हैं और जांच पडताल कर रही है।

(ग) रेल प्रशासन राज्य और केन्द्रीय पुलिस को कार्यपालिका और आसूचना शाखाओं के साथ निकट सम्पर्क रखता है और संस्थापनाओं के व्यक्तियों तथा सम्पत्ति, जिसमें रेल की पटरी शामिल है, की कारगर ढंग से रक्षा करने और महत्वपूर्ण गाडियों के साथ पहरे की व्यवस्था करने के लिए तैयार किये जाने वाले उपायों की जानकारी का आदान प्रदान करता है।

गत तीन महीनों के दौरान रेलवे दुर्घटनाएं

2952. **श्री नाथूराम अहिरवार :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गत तीन महीनों के दौरान कितनी रेलवे दुर्घटनाएं हुई है ;

(ख) इन दुर्घटनाओं के परिणाम स्वरूप कितने व्यक्ति मारे गए तथा कितने मूल्य की सम्पत्ति का नुकसान हुआ ;

(ग) सरकार ने उन दुर्घटनाओं में मारे गए व्यक्तियों के परिवारों को कितनी राशि मुआवजे के रूप में दी है ; और

(घ) इन दुर्घटनाओं के क्या कारण हैं ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) 1-8-74 से 31-10-74 तक की अवधि में भारतीय रेलों पर, गाड़ियों की टक्कर, पटरी से उतरने, समपार की दुर्घटनाएं तथा गाड़ियों में आग लगने की कोटियों में 272 दुर्घटनाएं हुई।

(ख) इन दुर्घटनाओं में 120 व्यक्तियों की मृत्यु हुई। इनमें रेल सम्पत्ति को लगभग 59,20,608 रु० की क्षति होने का अनुमान लगाया गया है।

(ग) भारतीय रेल अधिनियम तथा कर्मकार प्रतिकर अधिनियम के अधीन इन दुर्घटनाओं में मृत व्यक्तियों के आश्रितों को अभी तक कोई मुआवजा नहीं दिया गया है ;

(घ) इन दुर्घटनाओं के कारण निम्न लिखित है :—

कारण	दुर्घटनाओं की संख्या
(i) मानव भूल	155
(ii) उपस्कर की खराबी	45
(iii) तोड़-फोड़	1
(iv) आकस्मिक	15
(v) कारण सिद्ध न हो सका	4
(vi) कारण को अभी तक अन्तिम रूप नहीं दिया गया	52
जोड़	272

झांसी-मानिकपुर पैसेंजर गाड़ी का देर से चलना

2953. **श्री नाथूराम अहिरवार :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या झांसी-मानिकपुर पैसेंजर गाडी पिछले एक वर्ष से समय पर नहीं पहुंचती ;

(ख) इन दोनों (आने तथा जाने वाली) गाड़ियों के देर से पहुंचने पर मानिकपुर और इलाहाबाद जाने वाली सभी मेल तथा एक्सप्रेस गाड़ियां निकल जाती हैं; और

(ग) यदि हां, तो क्या उनका मंत्रालय झांसी और बनारस के बीच एक एक्सप्रेस गाड़ी चलाने पर विचार करेगा ?

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह): (क) और (ख) यद्यपि यह सच है कि 521/522 और 523/524 झांसी-मानिकपुर सवारी गाड़ियों के समय पालन की स्थिति

मुख्यत खतरे की जजीर खीचने की अत्यधिक घटनाओ के कारण, विशेष सन्तोषजनक नही रही है, तथापि मुख्य लाइन को गाडियो के साथ मानिकपुर मे मेल की स्थिति अच्छी रही है। यह इसलिए सभव हुआ है क्योकि मानिकपुर मे इन गाडियो के पहुचने और मेल/एक्सप्रेस गाडियो के छूटने मे समय का काफी अन्तर है।

(ग) यातायात का औचित्य न होने के कारण तथा मानिकपुर-इलाहाबाद खण्ड पर लाइन क्षमता और वाराणसी मे टर्मिनल सुविधाओ के अभाव मे मानिकपुर के रास्ते झासी और वाराणसी के बीच एक सीधी गाडी चलाना व्यावहारिक नही पाया गया है ?

Link with Gogak Town on Miraj-Hubli Broad Gauge Line

2954 SHRI P R SHENOY Will the Minister of RAILWAYS be pleased to state

(a) whether any representations have been made that a link should be provided to Gogak town when the metre gauge between Miraj and Hubli is converted to broad gauge, and

(b) if so, whether their representations have been considered favourably?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) Yes

(b) The survey report for the conversion project Miraj-Hubli-Hospet, from MG to BG has been received and it is under examination The request for diversion of the line *via* Gogak will be given due consideration, while taking a decision on the conversion project

West Bengal Government's request on construction of new Railway lines

2955 DR RANEN SEN Will the Minister of RAILWAYS be pleased to state

(a) whether decision of Government not to construct new railway lines would adversely affect West Bengal,

(b) if so, whether Government have received any request from the State Government to reconsider it,

(c) whether the work at Martin Burn's had been stopped, and

(d) if so, the reasons therefor and when it is likely to be resumed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No such decision has been taken

(b) Does not arise

(c) and (d) Construction of Howrah-Amta Bargachia-Champadanga and Howrah-Sheakhala new Broad Gauge lines in place of the Ex-Martin Burn Light Railways had been approved by the Parliament on the basis of 50 per cent participation in the capital cost of construction by the State Government The State Government have accordingly been addressed to convey their concurrence for bearing their share of cost The work will be taken up on these projects on receipt of their acceptance

Decision on Up-gradation of Posts of Class III and IV Employees

2956 SHRI S M BANERJEE Will the Minister of RAILWAYS be pleased to state

(a) whether final decisions regarding up-gradation of posts of Class III and Class IV employees in all Railways in the light of recommendations of the Third Pay Commission have since been taken;

(b) if not, the reasons for delay, and

(c) when a final decision is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) to (c) Third Pay Commission have not made any specific recommendations regarding up-gradation of posts of Class III and Class

IV Railway employees. However, a review of the grade-wise distribution of posts in various Class III and Class IV cadres is in progress. It is not possible to indicate at this stage how long it will take to finalize this review.

Survey for Oil Deposits in Bay of Bengal by an American Ship

2957. SHRI GAJADHAR MAJHI:
SHRI K. MALLANNA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a seismic ship belonging to an American Geophysical firm arrived off Orissa coast recently to carry out seismic survey for possible oil deposits in the Bay of Bengal; and

(b) if so, the results achieved so far?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). Yes, Sir. The first phase of seismic surveys is already over and the data obtained is under processing and interpretation. The survey covered the continental shelf areas off the coast of West Bengal and some portions of Orissa.

Increase in the Handling Capacity of I.I.S.Co. siding at Okhla (Delhi Division)

2958 SHRI K. M. MADHUKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Administration has received any representation from any member of Lok Sabha regarding the increasing of handling capacity of I.I.S.Co. Siding Okhla, Delhi Division;

(b) whether the handling capacity has been increased from 9 to 13 wagons (four wheelers) w.e.f. 23rd August, 1974;

(c) the amount of demurrage levied on I.I.S.Co., siding at Okhla during the months of June, July, August, September and October, 1974;

(d) the amount recovered and due from the siding authorities; and

(e) the steps taken to recover the outstanding demurrage charges from the I.I.S.Co. siding authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Yes Sir.

(c) and (d). The amount of demurrage levied, realised and the balance outstanding is shown below.

Months	Amount of demurrage		
	Levied	Realised	Balance
	Rs.	Rs.	Rs.
June '74	7012·10	126·50	6885·60
July '74	2748·80	661·50	2087·30
Aug. '74	1007·50	..	1007·50
Sept. '74	5152·70	..	5152·70
Oct. '74	1376·50	..	1376·50
Total	17297·60	788·00	16509·60

(e) M/s. I.I.S.Co. have been served with a notice to expedite payment of the outstanding demurrage charges. They have, however, made a number of representations to the Divisional Authorities for waival. Their appeals are under consideration of the Railway Administration.

Closure of branch lines between Bhagalpur-Barari and Sahebpur Kamal Junction-Monghyr Ghat (North Eastern Railway)

2959 SHRI K M MADHUKAR: Will the Minister of RAILWAYS be pleased to state

(a) whether Branch lines between Bhagalpur-Barari and Sahebpur Kamal Junction-Monghyr Ghat on the North Eastern Railway are going to be closed down from the 1st January, 1975;

(b) if so, whether the backwardness of the areas served by their two branch lines have been kept in view,

(c) whether the statement made by him before the Members of Bihar Industries Association at Patna on 28th/29th October, 1974 is inconsistant with the decision of the Railway Board to close these branch lines; and

(d) whether the Railway Ministry propose to postpone the closures of these branch lines for the present as there has been great resentment amongst the people of the area?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No.

(b) to (d) Do not arise.

Truck crossing between Mahendrughat and Pahlezaghat

2960. SHRI K M. MADHUKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether North Eastern Railway had decided to introduce truck crossing between Mahendrughat and Pahlezaghat;

(b) whether planning for introducing truck crossing has since been cancelled and if so, the reasons therefor; and

(c) if not, by what time truck crossing is likely to be introduced there?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH) (a) No.

(b) and (c) Do not arise

Stockpiling of Fertilizers at Cochin Division of FACT

2961. SHRI VAYALAR RAVI:
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether large quantities of fertilizers have been stockpiled at the Cochin Division of the FACT and no effort is being made to clear these stocks,

(b) if so, the total quantity of accumulated stocks and the reasons for the accumulation of stocks in that Unit; and

(c) the steps taken by Government to clear these stocks?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH) (a) to (c). About 24,000 tonnes of urea was reported to have accumulated at the Cochin Division of FACT. The accumulation has been mainly due to labour troubles which affected bagging and loading of urea and inadequate availability of railway wagons. The labour problems have since been resolved and arrangements are under way to move out the accumulated stocks by rail and road transport.

Ticketless travelling by CPI demonstrators in Bihar

2962. PROF. MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) whether railway authorities allowed the CPI demonstrators proceeding to Patna for anti-Bihar agitation demonstration on the 11th November, 1974 to travel by trains without tickets; and

(b) whether 'Janta Checking' imposed by students revealed that several CPI demonstrators were travelling without tickets?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) The Railways do not have any such information.

Applications for new licences for manufacture of drugs

2963. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) how many new applications for industrial licences for 'new ventures' were received for the manufacture of drugs and pharmaceuticals during the last 3 years; particulars of items and quantities applied for; how many of them were approved|rejected|deferred and reasons for rejection/defference;

(b) upto which date expansion licences were issued to the foreign firms with more than 26 per cent equity/foreign with the condition of bulk drug; details of such licences issued during the last 3 years; and

(c) when the condition of Rs. 2 crores turn-over connected with the bulk drug manufacturing came into force and the reason for doing so?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) A statement indicating the applications received during the year 1971, 1972 and 1973 for the establishment of new units, items of manufacture with the capacity per annum applied for and the decision of the Government on each is laid on the Table of the House. [*Placed in Library. See* No. LT-8644/74].

(b) The information is being collected and will be laid on the Table of the House.

(c) No such condition exists in the Industrial Licensing Policy announced by the Government *vide* Ministry of Industrial Development Press Note dated the 16th February 1973. Maximisation of indigenous production of bulk drugs is necessary for country's self-reliance and future growth in the field of drugs and for reducing the outgo of foreign exchange on imports. The drug manufacturing companies in the organised sector with turnover exceeding Rs. 2 crores are also expected to contribute to this.

Production of formulations in excess of licensed capacity

2964. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) how many foreign firms are producing formulations in excess of the licensed capacity specifying name of the formulation, its value during the period of 3rd and 4th Five Year Plans;

(b) whether these formulations are manufactured out of bulk drugs manufactured by these firms in excess of their licensed capacity. if so, what is the rationale of the notification dated 27th May, 1969 in such a situation; and

(c) why penal action is not being taken against these foreign firms when they are exploiting the situation to the detriment of Indian sector of drugs industry?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (c). There are 116 drug manu-

facturing units including 36 with majority foreign equity in the organised sector which are producing formulations whose number runs into thousands. The capacities approved for many of these companies covers authorisations issued to them under Registration Certificates, Permission/No objection letters and licences issued to them, productions taken up under schemes of diversifications and capacities approved under COB licences, etc. Hence it is not possible to assess the value or fix up a firm licenced capacity for formulations, the excess of production of such formulations or their value or corelate the manufacture of the formulations with the bulk drugs manufactured by the firms. Moreover the manufacture of formulations varies from year to year depending upon the marketability of each individual formulation/drug.

Whereas the growth of formulation activity has been quite fast over the last two decades, growth of bulk drug manufacture needed, and still needs, further encouragement. The production units were less inclined to make investments in bulk drug production in comparison to formulation activity. It was in this context that Government felt that the producers of bulk drugs should also be allowed to formulate a part of the bulk drugs produced by them as an incentive to the industry for achieving increase in bulk drug production. Accordingly the notification of 27.5.69 was issued.

The Committee on Drugs and Pharmaceuticals Industry constituted under the Chairmanship of Shri Jaisukhlal Hathi is examining various aspects of the drug industry including the measures for promoting the rapid growth of the drugs industry and particularly of the Indian and small scale industries sectors and the institutional arrangements to ensure equitable distribution of basic drugs and raw materials. Appropriate action will be taken on receipt of the report of the said Committee.

Additional Resources to Accelerate Oil Exploration

2965. SHRI N. K. SANGHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether keeping in view the growing need for exploration of oil resources within the country, the present allocations for the purpose need to be augmented substantially to yield any tangible results;

(b) if so, whether any exercise has been made by his Ministry to find out the additional resources that would be necessary to accelerate the present process of exploration and manufacture of oil within the country; and

(c) whether in addition to the above, any organisational change as suggested by the Malaviya Committee in the set-up of O&NGC is also being considered and if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The ONGC's Fifth Five Year Plan has been drawn up in terms of certain physical targets. To the extent the internal resources of ONGC from time to time, fall short of requirements for achievement of the targets, it would be Government's endeavour to supplement Commission's financial requirements.

(c) The matter is under consideration of Government.

Punctuality of Trains

2966. SHRI R. S. PANDEY:
SHRI YAMUNA PRASAD MANDAL:

Will the Minister of RAILWAYS be pleased to state:

(a) whether punctuality of trains has deteriorated during the current year in comparison to previous year; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). The punctuality of trains registered a slight deterioration during the period April to September, 1974 as compared to corresponding period of previous year mainly due to railway strike during May, 1974 and its after effects, public agitations, miscreant activities and increased incidence of alarm chain pulling etc.

Retrenchment of Casual Workers for economic reasons

2967. SHRI C. K. CHANDRAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways have retrenched thousands of casual workers in the name of economy; and

(b) if so, the broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) As a result of completion of deceleration of works, reduction in srtength of casual labour becomes unavoidable to some extent.

(b) Does not arise.

Negotiations with Foreign Oil Companies for Oil Exploration in India

2968. SHRI C. K. CHANDRAPPAN:
SHRI VIRBHADRA SINGH:
SHRI ANADI CHARAN DAS:
SHRI BANAMALI BABU:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether his Ministry is currently negotiating with some foreign oil companies for leasing out certain offshore basins for oil exploration;

(b) if so, the facts thereof;

(c) which are the areas to be leased out;

(d) whether the terms of contract would be different from the ones in the Kutch and Bengal contracts entered into by Government earlier this year; and

(e) if so, the broad features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) Yes, Sir.

(b) to (e). It is not in the public interest to disclose the details.

Re-Instatement of Dismissed/Removed Employees on North Eastern Railway

2969. SHRIMATI ROZA DESHPANDE: Will the Minister of RAILWAYS be pleased to state:

(a) the number of employees—permanent, temporary, casual on monthly rates of pay, and casual on daily rates of wages, who were dismissed, removed or terminated due to May, 1974 strike, on the North Eastern Railway, Division-wise and workshop-wise;

(b) the number of employees of each category since taken back to duty;

(c) the number of employees of each category yet to be taken back; and

(d) the reasons for the delay in reinstatement?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). A statement is attached giving the information pertaining to each of the four Divisions on the North Eastern Railway. Information in respect of Workshops is being collected and will be laid on the Table of the Sabha.

(d) Individual appeals submitted by the staff are being reviewed on case to case basis. The process is continuing, and the Administration are doing

their utmost to review cases as expeditiously as is possible. Re-engagement of casual labour depends also on the work needs and resources position.

Statement

Division/ Workshop	Dismissals/Removals of Permanent Employees			Termination of service of Temporary Employees			Substitutes/Casual labour discharged.		
	No. dismissed/ removed	No. taken back	Balance	No. terminated	No. taken back	Balance	No. discharged	No. taken back	Balance
Divisions									
Izatnagar	240	206	34	102	99	3	366	132	234
Lucknow	77	50	27	11	1	10			
Varanasi	112	70	42	4	1	3			
Samastipur	54	3	51	..	..	..			

Re-Instatement of Dismissed/Removed Employees on Northern Railway

2970. SHRIMATI ROZA DESHPANDE: Will the Minister of RAILWAYS be pleased to state:

(a) the number of employees—permanent, temporary, casual on monthly rates of pay, and casual on daily rates of wages, who were dismissed, removed or terminated due to the May, 1974 strike on the Northern Railway, Division-wise and workshop-wise;

(b) the number of employees of each category, since taken back to duty;

(c) the number of employees of each category yet to be taken back to duty; and

(d) the reasons for the delay in re-instatement?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). A statement is laid on the Table of the House. [*Placed in Library. See* No. LT-8645/74].

(d) Individual appeals submitted by the staff are being reviewed on case to case basis. The process is continuing, and the Administration are doing their utmost to review cases as expeditiously as is possible. Re-engagement of casual labour depends also on the work needs and resources position.

New Up-to-date Railway Code

2971. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government propose to bring before Parliament, a new, up-to-date Railway code in tune with the modern requirements and nature and volume of traffic; and

(b) if so, the main indications thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Does not arise.

Supply of Bed Rolls in Long Journey Trains

2972. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether bed-rolls are supplied to passengers travelling in the sleeping compartments of second class coaches on long-journey mail trains;

(b) if so, where and on what charges; and

(c) whether Government propose to extend the said facility on all long journey trains throughout the country and if so, when?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Bed rolls are supplied to passengers travelling in second class sleeper coaches on Jayanti Janata Express and Pandyan Express trains only.

(b) Train Service.

Train Service	Charges per bed roll per night
131/132 Jayanti Janata Express between Mangalore/Cochin Harbour Terminus—New Delhi.	Rs. 1·50 (Rs. 2·50 for the entire journey of two nights).
153/154 Jayanti Express bewteen Samastipur Jn.—New Delhi.	Rs. 1.50 (During summer)
231 (NR)/31 (WR) 232 (NR)/32 (WR) Jayanti Janata Express between Delhi—Ahmedabad.	Rs. 2.00 (During winter)
117/118 Pandyan Express betwen Madras Egmore—Madurai.	Rs. 1·25

(c) No.

Manufacture of Glibenclamide

2973. SHRI P. G. MAVALANKAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Glibenclamide (oral anti-diabetic drug), a basic drug, is being manufactured in the country;

(b) if so, the particulars of the manufacturer and the price per kg.;

(c) whether the said manufacturer has submitted any application for a ban on the import of glibenclamide, and if so, whether Government propose to take action thereon; and

(d) whether there will be any saving of foreign exchange, if the said import is banned and if so, the annual saving in the foreign exchange?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) to (d). M/s. Cadila Chemicals, Ahmedabad a small scale unit, have claimed that they are manufacturing bulk Glybenclamide. They have indicated sale price of product as Rs. 9800 per kg. as against the c.i.f. price of Rs. 10000 per kg. of imported material. The party has represented for banning the import of Glybenclamide and this representation is being examined in consultation with D.G.T.D. and D.G.H.S.

Delay in obtaining timely Reservations in various Zones

2974. SHRI P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether several groups and parties embarking on an educational tour or pilgrimage are forced to cancel or postpone their journey on ac-

count of unduly long delays in obtaining necessary and timely reservations on the trains in the various Zones; and

(b) if so, the steps Government are taking to remedy the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No. All possible assistance is given to students and parties proceeding on educational tour and pilgrimage respectively to provide accommodation as requisitioned by them. There may be some occasions when it is not possible to book the parties according to their itineraries at short notice.

(b) Does not arise.

Facilities to Members of Hindi Salahkar Samiti

2975. SHRI S. C. SAMANTA: Will the Minister of RAILWAYS be pleased to state:

(a) what facilities have been provided to the members of the Hindi Salahkar Samiti of the Ministry of Railways to enable them to assess the progress of work being done in connection with the implementation of various directives, orders and instructions for the progressive use of *Raj Bhasha* in various Zonal Railways as well as in the Railway Board and the Ministry;

(b) whether the Members of the Hindi Salahkar Samiti have not been provided even with Identity Cards on the basis of which they may be able to enter various offices and other places of work, so much so that they are unable to enter the Rail Bhawan except through falling in queues at the reception where entry passes are not allowed until the receptionists get green signal from officers inside; and

(c) the progress made by the Ministry in the progressive use of Hindi in office work and correspondence particularly in areas where Hindi is State language?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). At present no facilities have been provided to the members of the Railway Hindi Salahkar Samiti to visit the various Railway offices to assess the progress made in implementation of various directives regarding Hindi. Since this matter concerns other Ministries also where such Samitis have been set up, the matter will be examined in consultation with the Ministry of Home Affairs.

(c) Hindi is being used in noting and drafting in selected sections in Railway offices where 80 per cent or more staff have a working knowledge of Hindi. Efforts are also made to use Hindi to as large an extent as possible for correspondence with the States which have adopted Hindi as their state language or have decided to use Hindi for correspondence with the Central Government.

First Class Fare between Bombay and Poona by Deccan Queen

2976. SHRI B. V. NAIK: Will the Minister of RAILWAYS be pleased to state:

(a) the first class fare between Bombay and Poona by Deccan Queen;

(b) the fare for first class season ticket for a month; and

(c) the reasons for this disparity and how does it compare with the disparity five years back?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The current first class fare for travel from Bombay VT to Poona by Deccan Queen is Rs. 48.00 including the supplementary charge of Rs. 5.00.

(b) The current fare for a first class monthly season ticket between Bombay VT and Poona is Rs. 229.00.

(c) The monthly season ticket authorises its holder to travel any number

of times during the month. The monthly season tickets are issued at a much lower rate as a measure of facility to the commuters who have to regularly travel between two stations in pursuit of their profession, business, etc. In 1969. the first class fare between Bombay VT and Poona was Rs. 19.25 and the fare for a first class monthly season ticket was Rs. 155.00.

Work on opening of New Railway Lines on New Bongaigaon-Rangia and Rangia-Gauhati

2977. SHRIMATI SAVITRI SHYAM:
SHRI NAWAL KISHORE SHARMA:

Will the Minister of RAILWAYS be pleased to state:

(a) the broad outlines of the plans where new railway lines are proposed to be laid and put to actual working in the country during next five years, broad and metre gauge-wise;

(b) whether the work on the New Bongaigaon-Rangia and Rangia-Gauhati broad gauge has been completed;

(c) if so, the salient features of the goods traffic to be increased from Assam to its neighbouring States as a result of opening of this line; and

(d) the time by which the traffic on this line would be started?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) The proposals for construction of new Railway lines to be taken up during Fifth Five Year Plan have not yet been finalised. However, the following new railway lines have been approved and included in the annual plan (1974-75). Their estimated cost and target data of completion have been indicated against each of them:

S. N.	Name of Project	Estimated cost	Target date of opening
		Rs. crores	
1.	Rohtak-Bhiwani (BG)	6 13	March, 1979
2.	Hasanpur Sakri (MG)	5 96	March, 1978
3.	BG rail links to Ramnagar & Kathgodam from Moradabad and Rampur.	15·00	March, 1979
4.	Jhanjharpur-Laukaha Bazar (MG)	2 93	April, 1976
5.	Bibinagar-Nadikude (BG)	13·47	1-4-1979
6.	Banspani-Jakhapura (BG)	39·00	1-4-1980

(b) The conversion of the section from New Bongaigaon to Gauhati from metre gauge to broad gauge has been included in the budget for 74-75. The sanction to an Urgency Certificate for taking up essential bottleneck works on this section is under consideration and is likely to be issued shortly.

(c) By providing a through Broad-gauge rail link from Assam to the rest of the country, the conversion will cater for the increased traffic in Jute, Tea, Timber and Bamboo. In addition it will facilitate increased movement of fertiliser and P.O.L. traffic from Assam.

(d) Since the work on the above conversion has been included in the budget for 1974-75 and is likely to take some time for completion, it is too early to indicate the time by which the traffic on this line would be started.

Technology for producing Certain Medicines offered by M/s. Pfizer to I.D.P.L.

2978. SHRI S. A. MURUGANANTHAM: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state :

(a) whether Indian Drugs and Pharmaceuticals Limited is considering an offer of technology from a private firm, Pfizers, to produce certain drugs; and

(b) if so, the broad outlinese thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b). M/s. Indian Drugs and Pharmaceuticals Ltd. have been granted a letter of intent on 22-2-1974 for the manufacture of Doxycyline with a capacity of 5000 BU per annum subject to the condition, *inter alia*, that terms of foreign collaboration, if any, shall be settled with the approval of Government. They have received an offer of know-how from M/s. Rachelle Laboratories of USA for the manufacture of Doxycycline and improving yields for Tetracycline and Oxytetracycline. M/s. Pfizer Ltd. a company already operating in India, have also offered their know-how for the manufacture of Doxycycline and for improving yields of Oxytetracyline and tetracycline.

Threatened Closure of Industrial Units in Punjab for Non-availability of Furnace and Diesel Oil

2979. SHRI RAGHUNANDANLAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that a large number of medium and small scale industrial units in Punjab are being forced to close down due to the non-availability of furnace oil, diesel oil and other oil products;

(b) if so, measures taken in the matter; and

(c) whether Government propose to change the present allotment system and if so, broad outlines thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b) No such reports have been received by the Government. Sale of diesel oil from the companies' outlets is at present free. Furnace oil supplies are are, however, being made by the companies on the basis of 1973 offtakes of individual consumers. A 10 per cent efficiency cut is being applied in making furnace oil supplies to all consumers. A further 10 per cent cut is also being made in supplies to industrial consumers other than the 33 specified core sector industries. A quota has also been allocated to the States for supplies to small scale units and State Enterprises which are not registered with any Central sponsoring authorities.

(c) No change in the present allotment system is being contemplated at present.

Shortage of Drinking Water on Railway Stations in Gujarat

2980. SHRI ARVIND M. PATEL: SHRI VEKARIA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that there is an acute shortage of drinking water on many stations in Saurashtra region and Kutch in Gujarat State; and

(b) if so, what steps Government propose to take to provide sweet drinking water on railway stations?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) and (b). Due to scanty rainfall in Saurashtra and Kutch regions of Gujarat State for three consecutive years, the water supply position at several stations in

these areas is difficult. However, the Administration has taken necessary steps to meet the minimum needs for water for passengers and staff at all stations. At stations where the source of water has dried up, water is being brought either by rail from adjoining stations or obtained from private sources or the Municipality.

Gujarat State Law Commission

2981. SHRI VEKARIA:
SHRI ARVIND M. PATEL:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Gujarat State Law Commission has examined any State Acts; if so, the particulars of Acts examined;

(b) whether the report in respect of the Acts examined by the Commission has been received by Government; and

(c) if so, the action taken by Government?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) to (c). The information is being collected and will be laid on the Table of the House.

Trade Apprentices Recruited and given Training in Railway Workshop, Golden Rock

2982. SHRI V. MAYAVAN: Will the Minister of RAILWAYS be pleased to state:

(a) the number of Trade Apprentices under the Apprentice Act, 1961 so far recruited during the last three years and given training in the Railway workshop Golden Rock, year-wise;

(b) number so far absorbed in skilled and unskilled posts, year-wise and what steps are being taken by Government to absorb the remaining Trained Apprentices;

(c) whether the scheme of training of apprentice mechanics and their absorption in the supervisory cadre on the Railway Workshop is in vogue for some years past, both by the direct recruitment and promotion from the ranks and if so, what difficulty is faced by Government in absorbing the trained apprentices who are adequately educated and technically trained; and

(d) whether Government propose to evolve a policy of absorbing trained Trade Apprentices on par with the Apprentice Mechanics since the intention of the training scheme is identical?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH:) (a) to (e). The system of recruiting Trade Apprecentices has been stopped at the instance of organised labour as the Railways' requirements have dwindled and there is stagnation in promotions. But there is a statutory obligation under the Appsentices Act, 1961 to give training to Apprentices without any liability for employment. In pursuance of this the following numbers have been trained in the Golden Rock workships:

1971—Nil.

1972—204.

1973—54.

They have not ben absorbed in Railway service in view of what is mentioned in the first sentence.

(d) Apprentice Mechanics are recruited by the Railways for filling supervisory posts of Chargemen. The apprentices trained under the Apprentices Act are for providing skilled workmen for various industries in the country. The intention of the two is not the same.

Promotion of class IV employees of Golden Rock Workshop

2983. SHRI V. MAYAVAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that several Class IV employees (workshop Artisan Staff) of Golden Rock Workshop have not been given promotion for more than 10 to 15 years;

(b) what steps Government have proposed to redress their grievances; and

(c) whether Government are aware that there is constant agitation in the labour ranks in the Railway Workshop, Golden Rock and whether their problems have focussed the attention of Government?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) A revised avenue of promotion has been laid down for promotion of unskilled and semi-skilled staff to semi-skilled and skilled grades with a view to improving chances of promotion.

(c) Yes.

Shortfall of powers in fertilizer units

2984. SHRI NAWAL KISHORE SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government of India have appointed Kuljian, power development consultants, to go into the details about the shortfall of power in the country for production of fertiliser at various units;

(b) if so, the time by which the report of the consultants is expected;

(c) whether Fertiliser Corporation is considering to set up a turbo alternator at Gorakhpur fertiliser factory to keep the production going to meet the requirements; and

(d) if so, the salient features thereof and the time by which the same would be installed and the expected capacity to be increased as a result thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) No, Sir. However M/s. Development Consultant Private Ltd., (formerly Ms. Kulijian) have been appointed as steam and power consultant by FCI to review steam balances, suggest optimum quantum of generation of power taking into account steam balances and draw up specifications of boilers and Turboalternator accordingly for the Trombay, Gorakhpur and Durgapur factories.

(b) The FCI expects to receive the report of Consultants in 3 months' time.

(c) and (d) Yes, Sir. Orders have been placed for a 12.5 MW turboalternator set for the Gorakhpur factory. This set is expected to be installed in about 24 months time. The set is meant essentially to meet the requirements of power of critical equipment/section of the factory and will serve as a protective measure for equipment which stand the chance of getting damaged due to frequent disturbance in the external power supply.

Seniority and pay of ex-grain shop Department staff of South Central Railway

2985. SHRI Y. ESWARA REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the seniority and pay of Ex-Grain Shop Department Staff on South Central Railway have been refixed as per the directives of the Supreme Court in their judgements in Civil Appeals Nos. 1937 and 1938 of 1972, which was delivered on 30th January, 1974; and

(b) if so, whether similar orders have been issued in respect of Ex-grain shop staff of South Eastern Railway, Eastern Railway and other Railways where the staff have been making similar representations?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The judgment of the Supreme Court is being implemented.

(b) Orders to be issued will apply to ex-grain shop staff on all Railways.

Agreement signed by I.O.C. for selling Bitumen to Iran

2986. SHRI Y. ESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Indian Oil Corporation has signed an agreement to sell Bitumen to Iran; and

(b) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). Yes, Sir. The contract provides for export of 300 000 MTs of Bitumen, packed in drums to Iran over a period of two years.

Availability of wagons at Madras towards end of September

2987. SHRI S R. DAMANI:
SHRI MUHAMMED SHERIFF:

Will the Minister of RAILWAYS be pleased to state:

(a) whether wagons were not made available at Madras towards the end of September to clear the imported wheat and fertilizers;

(b) if so, the reasons therefor and loss suffered as a result thereof; and

(c) the steps taken to make available the required number of wagons to clear the stock?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) and (c). Do not arise.

Extension of Railway line from Jammu Tawi to Srinagar

2988. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether any survey has been or is being made for extending the Railway line from Jammu Tawi to or towards Srinagar and other parts of Kashmir valley; and

(b) if so, the facts thereof including the construction schedule for extension?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH). (a) Yes.

(b) Surveys for an electrified railway line from Qazigund to Baramula via Srinagar and the extension of Broad Gauge line from Jammu Tawi to Udhampur have been completed and the reports have recently been received. As per the survey reports, the Qazigund-Baramula rail link will be 122.35 Kms. long and will cost Rs. 71.33 crores as M.G. and Rs. 78.62 crores as B.G. if it is taken up as a Railway work. The Jammu-Udhampur B.G. rail line will be 56.10 Kms. long and will cost Rs. 40.65 crores. Both these rail links will be financially highly unremunerative. A final decision on these rail links will be taken after the reports are examined from all angles and subject to availability of funds.

Suspension of supply of wagons to public/private sector firms for non-payment of dues to Eastern Railway

2989. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Eastern Railway informed 16 public sector and private sector firms that supply of wagons to

them for carrying coal and other raw materials will be suspended from 1st November, 1974, if they do not pay the Railways dues by the 30th September, 1974;

(b) if so, railway's dues from each of these 16 firms;

(c) whether the dues have been paid by the stipulated date; and

(d) if not, what steps are being taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) to (d). Do not arise.

Installed capacity and actual production of fertilizer

2990. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the installed capacity and actual production of different varieties of fertilizers at each of the public sector and private sector fertiliser plants, year-wise during the last three years; and

(b) amount of profits earned or losses incurred by the fertiliser plants in the public and private sector, separately, year-wise during the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) Sstatement No. 1 giving the requisite information is laid on the Table of the House. [*Placed in Library. See* No. LT-8646/74].

(b) Statement No. II giving the requisite information to the extent available is [*Placed in Library. See* No. LT-8646/74]. The remaining information is being collected and will be laid on the Table of the House.

Railway wagon orders placed with wagon industry from 1971-72 to 1974-75

2991. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) the total Railway wagon orders placed with the wagon industry, year-wise from 1971-72 to 1974-75;

(b) whether the Railway Board has decided to slash down wagon orders heavily for the coming years; and

(c) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Wagon orders placed with the wagon industry from 1971-72 to 1974-75 are as under:

(In terms of four wheelers)

1971-72	14,353
1972-73	17,389
1973-74	16,122
1974-75 (upto 30-11-74) . .	1,485*

*Procurement action is under progress for 13,461 wagons in terms of four wheelers which is expected to be finalised during this financial year.

(b) No. There has been no decision so far to slash down the wagon orders. The ordering of wagons in the the coming years will however depend upon the requirements based on traffic anticipations which is reviewed on a year to year basis.

(c) Does not arise.

Cheating of Cochin Refinery by certain Foreign Shipping Firms

2992. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether his attention has been drawn to a news-item published by

the "Patriot" under the caption "Foreigners-cheat, Cochin Refinery"; and

(b) if so, what are the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI C. P. MAJHI): (a) and (b). The news item published by the "Patriot" in its issue of September 8, 1974 is about the termination of agreement with the Cochin Refineries Limited in 1973 by two foreign companies: namely, Total Francaise des Petroles—CFP a French company with Government participation) for supply of crude oil and M/s. Triton Shipping Inc. of USA for transportation of crude. The contract with Total International Company provided that it was renewable every year. With effect from 1st January, 1974, the Total International Company did not renew the contract in view of the difficult crude supply situation in the world market. There was, however, no breach of contract by Total International Company. In May, 1973 M/s. Triton Shipping Inc. unilaterally terminated the contract with Cochin Refineries Limited. Cochin Refineries Limited had, therefore, to engage other tankers at higher rates. Cochin Refineries Limited have taken up the legal proceedings against the Triton in the Federal District Court of New York for breach of contract.

Cost of M.T.P. in Calcutta

2993. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of RAILWAYS be pleased to state:

(a) what is the total cost of the Metropolitan Transport Project in Calcutta;

(b) whether recruitment has yet to be completed to run the Metropolitan Transport Project; and

(c) the progress of the work up-to-date and the proposed date of completion of the project?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) The Project cost as sanctioned is Rs. 140.3 crores at 1970 prices and is now under revision.

(b) No recruitment by the Project authority from the open market had become necessary so far, as the Zonal Railway have been able to supply the personel.

(c) The up-to-date progress is 5.35 per cent. The original target of completion was 1979; but the same is under review now.

Appointment Scandals

2994 SHRI CHANDRA SHEKHAR SINGH. Will the Minister of RAILWAYS be pleased to state:

(a) whether the attention of the Minister has been drawn to the News "Now, the appointment scandals, the Minister is the same—L. N. Mishra" published in the "Peoples Democracy" dated 13-10-74;

(b) if so, the salient features of the correspondences on which the appointments referred to therein have been made; and

(c) the justification of the policy direction and the interest of the Minister as mentioned by his Private Secretary in his letter?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) Yes.

(b) Preliminary enquiries lead to a suspicion that signatures have been forged in certain letters addressed to certain Railway authorities for appointment of substitutes.

(c) Does not arise.

Production target of Urea at Cochin Unit of FACT

995. SHRI P. GANGADEB:
SHRI SHRIKISHAN MODI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether production in the Cochin Unit of Fertiliser and Chemicals Travancore Limited has come to a stand still; and

(b) what was the production target of urea there in September, 1974 and how much it actually produced?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K R. GANESH): (a) No Sir.

(b) During September, 1974, the production of Urea in the Cochin Division was 3326 tonnes as against the target of 8500 tonnes.

रेलवे को सप्लाई किया जाने वाला घटिया किस्म का कोयला

2996. **श्री मूलचन्द डागा** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कोयला खानों के राष्ट्रीयकरण के बाद घटिया किस्म के कोयले की सप्लाई में 128 प्रतिशत की वृद्धि हो गयी है ; और

(ख) यदि हां, तो रेलवे बोर्ड द्वारा वायलरों को घटिया किस्म के कोयले से होने वाली क्षति से बचाने के लिए क्या कार्यवाही की गई है ।

रेल मंत्रालय में उप मंत्री (श्री बूटा सिंह) : (क) लदान स्थलों पर निरीक्षण किये गये कुल माल डिब्बों में घटिया पाये गये माल डिब्बों का प्रतिशत राष्ट्रीयकरण के बाद फरवरी, 1973 से अगस्त, 1973 की अवधि में बढ़कर 9.1 प्रतिशत हो गया जब कि राष्ट्रीयकरण से पहले पिछले वर्ष की इसी अवधि में यह 4.2 प्रतिशत था । इस प्रकार घटिया किस्म के कोयले की सप्लाई में 4.9 प्रतिशत की वृद्धि हुई है ।

(ख) सप्लाई किये गये कोयले की किस्म में गिरावट आ जाने के कारण वायलरों को नुकसान पहुंचने की कोई रिपोर्ट या आंशका नहीं है क्योंकि यह गिरावट राज्य की प्रतिशतता पूरे और चुने जा सकने वाले शेल में हुई वृद्धि के रूप में हुई है । लेकिन चूंकि कोयले की किस्म में अगली इस गिरावट का प्रभाव ईंधन की किफायत पर पड़ता है इस लिए रेलों ने लदान स्थलों पर निरीक्षण और कड़ा कर दिया है और 1973–74 में घटिया सप्लाई के लिए 20 लाख रुपये की कटौतियां की गयी थी । इस मामले पर कोयला विभाग के साथ भी लिखा पढ़ी की गयी है जो राष्ट्रीयकृत कोयला खानों द्वारा लादे गये कोयले की किस्मपर नियंत्रण रखने के लिए एक तकनीकी सेवा यूनिट स्थापित करने के लिए कार्रवाई कर रहा है ।

Conversion of Arrah-Sasaram light Railway into Broad gauge line and its extention

2997 SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether Mughalsarai Junction on Eastern Railway is bottle-necked and with slight disturbances there the running of trains is held up and causes great inconvenience to the passengers and the Railway are put to heavy loss,

(b) whether there is a light Railway running from Arrah to Sasaram connecting Main Line and Grand Chord on Eastern Railway;

(c) whether he has stated that while formulating constructions of new Railway lines in Fifth Five Year Plan preference will be given to backward States even if they are unremunerative; and

(d) if so, whether Government propose to convert the Arrah-Sasaram light Railway into Broad gauge and then extend it upto Churk on Chopan—Chunar Branch line thereby providing alternative route to Chunar avoiding Mughalsarai as also to develop industrial growth of the area?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) No.

(b) Yes,

(c) Yes.

(d) There is no proposal at present for conversion of Arrah-Sesaram Light Railway into Broad Gauge.

Transfer of control of marine establishment from North Eastern Railway to Eastern Railway

2998. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Control of Marine Establishment was transferred from North Eastern Railway to Eastern Railway as a result of which staff were transferred to Eastern Railway with their posts;

(b) whether recently the control of Marine Establishment has been transferred back from Eastern Railway to North Eastern Railway and posts transferred back there but some staff have still been retained on Danapur Division even though posts have been transferred back affecting promotional avenues of Staff of Danapur D.P.O.'s office; and

(c) if so, whether Government propose to transfer back such staff to North Eastern Railway (Parent Railway) when posts have already been transferred back there and if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): (a) to (c). When the Marine Organisation of North Eastern Railways was transferred to Eastern Railway in 1961, the concerned staff were given option to be retained on North Eastern Railway or transferred to Eastern Railway. Such of them as opted for Eastern Railway were absorbed on that Railway permanently and they became the staff of Eastern Railway for all intents and purposes. Similarly when the control of the Marine Organisation was transferred from Eastern Railway to North Eastern Railway in 1973, similar options were called from concerned staff. Those who opted to continue in Eastern Railway have been retained on that Railway. According to the rules, a railway servant, when transferred from one Railway to another Railway in the administrative interest, is required to be given protection of seniority in the new cadre based on length of service in the grade. The procedure followed in this case is in accordance with the accepted principles.

Distribution of posts in various grades of Ministerial staff

2999. SHRI RAMAVATAR SHASTRI: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No 8702 on the 30th April, 1974 regarding increase in promotional quota of Class III Ministerial staff and state whether gradewise review has since been completed and if so, the percentage of distribution of posts in various grades of Ministerial staff and the date from which the up-gradation orders will be given effect to?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI BUTA SINGH): A review of the grade-wise distribution of posts in various Class III cadres including that of Ministerial staff is in progress but has not yet been finalised. Hence, it is not possible to indicate at this stage what the revised percentage distribution of posts in various grades of Ministerial staff will be and from what date it will take effect.

टी स्टालों और खान-पान ट्रालियों के मालिकों द्वारा रेलवे के देय शुल्क की राशि

3000. **श्री ओंकार लाल बेरवा** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) टी स्टालों और खान-पान ट्रालियों के मालिकों द्वारा रेलवे को देय शुल्क की डिवीजनवार राशि कितनी है ; और

(ख) उसको वसूल न किये जाने के क्या कारण हैं ?

रेल मंत्रालय में उपमंत्री (श्री बूटा सिंह) : (क) एक विवरण सभा पटल पर रखा है । [ग्रन्थालय में रखा गया/देखिये संख्या एल० टी० 8647/74]

(ख) रकम की वसूली न होने का मुख्य कारण यह है कि ठेकेदारों ने शुल्क कम करने के लिए अभ्यावेदन दे रखे है और विवाद के कारण कुछ मामले न्यायाधीन भी है ?

Liquidation of its equity by M/s. Pfizers

3001. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Pfizers were asked to liquidate its equity from 75 per cent to 60 per cent in 1968 and they have been avoiding taking action in this regard all these years; and

(b) what action Government proposes to take against them?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI K. R. GANESH): (a) and (b) M/s. Pfizers Limited Bombay were allowed by the Government on 3rd December, 1970 that they should increase the Indian holding in the Company to 40 per cent by 10th June, 1975, without disinvestment. The decision of 1968 with regard to reduction in foreign-equity therefore stood modified to this extent.

Proposal to take steps against rigging of elections

3002. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission have made any proposal to Government for taking measures against rigging of election in future for Lok Sabha and Assembly Elections;

(b) if so, salient features thereof; and

(c) the facts about complaints regarding rigging of elections received by Government from various parts of the country?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. SAROJINI MAHISHI): (a) and (b). Even in the existing Election law, effective legal provisions do exist and further the Election Commission have issued necessary instructions to the authorities concerned to take adequate and effective steps to prevent rigging in elections. Besides, in the Bill introduced in the Lok Sabha on the 20th December, 1973, suitable amendments have been made to make the existing provisions in the Representation of the People Act, 1951 (particularly, in clauses 36 and 37 of the Bill) more effective in dealing with this mater, after taking into account the recommendations of the Election Commission and of the Joint Committee on Amendments to Election Law in its Report, which was laid before Parliament on 13th March, 1972.

(c) Some complaints alleging rigging in elections have been made now and then since the fifth General Election to the Lok Sabha held in 1971.

These complaints pertain to the election propaganda by Government officers, ballot boxes being tampered with, use of official machinery, inauguration of projects and welfare schemes on the eve of elections, intimidation and coercion of voters, capturing of polling booths by armed men, etc.

12.00 hrs.

RE. IMPORT LICENCES CASE

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, मेरा पायंट आफ आर्डर है, मैं प्रार्थना करना चाहता हूं और एक स्पष्टीकरण भी चाहता हूं । अगर आप चाहते हैं, तो मैं इन तीनों बातों के बारे में कुछ शब्दों में एक साथ ही कह दूं ?

MR. SPEAKER: About my ruling; I am not entertaining any comments.

श्री एच०के०एल० भगत (पूर्व दिल्ली) : अध्यक्ष महोदय, अभी तो आप ने कोई आइटम नहीं लिया है। इस लिए कोई पौन्ट आफ आर्डर कैसे उठ सकता है ?

SHRI MORARJI DESAI (Surat): Sir, my submission relates to the ruling which you have given, which I accept. I am the last person to question your ruling. But what I am saying follows from what you have said and I request you to follow up your own ruling. While you have said that a privilege motion does not arise with respect to the ministers because there is no deliberate violation of the assurance, you have been pleased to say that there may be a dispute that the assurance was not implemented fully or in due time and it can only be resolved by a debate in the House. When you use the word 'may', I consider that it is 'is' and not 'may'; otherwise you would not have said it. So, there is a dispute which is very clear. The assurance was total. You also have said that it was a categorical assurance that they will come to the House when the investigation is over before taking further action and take the House into confidence. Suddenly they go to the court without coming to the House. I do not want to say that they have flouted the assurance, but they have subtly gone round the assurance in order to escape a privilege motion. But it involves the honour of the House and my honour also. I have never risen in the zero hour after I have come to this side of the House. But I consider that it involves the honour of the House and it involves your honour also, if I may presume to say so. And, it involves honour of the Government too. The ministers have promised something to this House. Because the minister has changed his portfolio, it does not mean that his assurance cannot be carried out by the Government The assurance was complete and categorical. Nobody asked him to give that assurance. He gave it on his own accord. That means, the Government had given it. The Minister also gave it, which was also done by the Government. When the assurance is not fulfilled, I do not see how we cannot get help from you to see that the assurance is fulfilled. I only want it to be fulfilled to the extent that the CBI report, which was promised to us, on which they wanted to take the House into confidence, is placed on the Table of the House. How can anybody take the House into confidence without showing the report on which they want to take the House into confidence? It is absolutely implicit in it. If there is any common sense, nobody will deny it. Of course, they can deny anything they like; that is what they are used to. But that does not mean that you should be a party to it. That is why we look forward to you for help. What else are we to do? This has gone on for days and days. There has been a lot of noise created because of the attitude of the Government. That also has been inescapable. Now things have come to this and you have given the ruling. Therefor, I would request you to follow up the ruling and to see that the CBI Report is given to the House. Unless there is something which the Government wants to hide and it is derogatory to them, I do not see why they are dedging it. I cannot understand it.

It is also required for the privilege motion which you have practically accepted against Shri Tul Mohan Ram. There you have said there is a *prima facie* case. The *prima facie* case depends on the CBI Report; it does not depend on anything else. Therefore, unless that is given, how is the privilege motion also going to be discussed and how is it going to be considered? On all these counts, therefore, this is very much required.

The opposition has to perform a duty. In this the whole opposition is united. Even that part of the opposi-

[Shri Morarji Desai]

tion which sides with the Government sometimes is also united in this matter. How can this be flouted, I cannot understand. And if this is going to be continuously flouted, then I must say that no other course is left open to us except performing satyagraha in this House.

श्री मधु लिमये : अध्यक्ष महोदय, मैं आप के निर्णय को चुनौती देने के लिए नही खडा हुआ हू। उस को मै स्वीकार करता हू। मैं और तीन मुद्दों पर आप का निर्णय चाहता हू, जिन पर आप ने निर्णय नहीं दिया है।

आप ने मैला-फाइडी के सवाल पर कोई रूलिंग नही दिया है। हमारी तरफ से कहा गया है कि नवम्बर की 11 तारीख को चार्जशीट दे कर केस को सबजूडिस करना मैला-फाइटी एक्ट था। आप कह सकते है कि आप की राय में वह मैला-फाइड एक्ट नही था। लेकिन इस बारे मे आप का रूलिंग होना चाहिए।

मै ने कहा था कि तुलमोहन राम और सरकार दोनों मिल कर काम कर रहे है। तुलमोहन राम ने 14 तारीख को सबजूडिस की बात कही। उस के बाद सरकार और मंत्रियों ने भी वही बात कही।

तुलमोहन राम के बारे में आप ने स्पष्ट निर्णय दिया है कि उस में सबजूडिस का कोई सवाल नही है। जब उन के आचरण के बारे में यहा प्रस्ताव आयेगा, तो उस प्रस्ताव पर बहस करने के लिए, और सही निष्कर्ष पर पहुचने के लिए, सी० बी० आई० की रिपोर्ट सदन के सामने रखना आवश्यक है। आप के रूलिंग के अनुसार ही मै माग करता हू कि तुलमोहन राम के बारे में मेरा जो प्रस्ताव है, उस पर चर्चा कराने के लिए, और निष्कर्ष पर पहुचने के लिए, सी० बी० आई० की एक रिपोर्ट नही, सभी रिपोर्ट्स सदन के सामने आनी चाहिए।

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, I wrote a letter to you. I wanted to know how much of the statement made by Shri Brahmananda Reddy tallies with the copy of the report which you have in your possession. I had not the good fortune of receiving a reply to that. Therefore, it becomes a little suspicious and so it requires a thorough probe. I congratulate Shri Morarji Desai for coming forward and raising this issue. As very rightly pointed out by him, an assurance was given before this House to lay the report on the Table.... (*Interruptions*) The Report was made available by the CBI on the 9th November and within two days, on the 11th November, they went to a court of law in order to deprive this House the opportunity of proceeding with the matter. Thirdly, in the CBI Report it is very clearly stated that four of them, namely, Shri Tul Mohan Ram, Shri Yogendra Jha, Shri Muthukumaraswami Pillai and Shri Nair went to Parliament House The last two waited outside. The other two went inside, came out after some time and said that the signatures have been obtained. With the very limited intelligence that I have upstairs, I fail to understand one thing. If the signatures were forged, or most of them were forged, why did they go to Parliament House or the Central Hall? Why should they choose this place for forging the signature?

It has been now established that Mr. Tulmohan Ram, Mr. Yogendra Jha, Mr. Pillai and Mr. Nair, four of them came together to the Parliament House; two of them entered the Parliament House and two of them waited outside and, after some time, they came out and told the two persons outside that all the signatures had been obtained. That gives us a clear suspicion that many of the signatures are genuine and are not forged. I am now positive that the CBI has been given a report which has been drafted by somebody in the Prime Minister's Secretariat under the command of Mr. Gokhale. It is a

ery serious matter and the House annot keep its eyes shut.

On top of that, your ruling, Sir, absolving all these gentlemen is not acceptable to us because the ruling does not face the reality that is in the country. We do not accept a ruling like that. I protest. I will raise the matter again and again, every day.

Further more, I have already given two privilege motions, one against Shri L. N. Mishra and the other against Shri D. P. Chattopadhyaya. I want to raise one of them today. I have already moved it last week. I want to make a submission on this.

SHRI VASANT SATHE (Akola): Sir, I am really sorry that the great leader, Shri Morarji Bhai had to take up cudgels today on behalf of the Opposition on a ruling which you have given and which is final.... (*Interruptions*). As a follow-up action on your ruling, you have already permitted the matter relating to Shri Tulmohan Ram being discussed in the House on a motion to be brought by the Opposition.

As far as the CBI report is concerned, more than once, you have stated that you have given no ruling for its being produced before the House.... (*Interruptions*).

SOME HON. MEMBERS: No, no.

SHRI VASANT SATHE: The Chair has said more than once that it is not for him and that it is for the Government to give or not to give the CBI report. That is what he has said.

Now, as far as the Government is concerned, the Government has already explained that they had never said that they would produce the CBI report before the House. All that they had said was that, after the CBI inquiry and investigation was over, they would take the House into confidence which substantially has been done.... (*Interruptions*).

SHRI SHYAMNANDAN MISHRA (Begusarai): Who will decide that?

SHRI VASANT SATHE: It is for the House.

I beg to differ with the learned leader, Shri Morarji Bhai, that to take the House into confidence, it is essential that the CBI report itself must be produced. If we start this practice, the CBI inquiry will lose all its significance.... (*Interruptions*). We have heard them patiently; let them hear us also patiently.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): By suppressing the CBI report, they are creating doubts in our mind.... (*Interruptions*).

SHRI VASANT SATHE: The essence that has emerged from the CBI report, namely, the charge-sheet, has already been produced in the court. The Government went to the extent of even placing that before the House. So, everything that was material to Shri Tulmohan Ram's case has already been produced in the court. After all, this House in not going to convert itself into a criminal court. That charge, howsoever strongly it may be put, cannot be of the nature of criminal liability where a man will be convicted and sentenced to jail. We cannot do that. In a privilege matter, the maximum that you can do is to terminate the membership.

SOME HON. MEMBERS: No.

SHRI VASANT SATHE: It cannot come as a privilege case because Mr. Tulmohan Ram's case will not fall within the purview of privilege If at all, it will be a matter for a Parliamentary Committee which can take action for his misdemeanour We have said here that we are willing to discuss it fully and all the materia that is necessary for such a committe.

[Shri Vasant Sathe]

or such a discussion is before s produced by the Government. It is utterly tendentious to make it a prestige issue now to ask for the CBI report and also to threaten the Parliamentary institution and democracy with satyagrahe by a leader like Shri Morarji Desai.

SHRI H. K. L. BHAGAT (East Delhi): We have very great respect for Shri Mararji Desai. We are happy that today he has come forward and spoken. But I would submit that he has given an absolutely incorrect appreciation of your ruling. We have heard him and I am speaking on the basis of what he said. He himself says that the assurance for giving the CBI report is implicit; thereby, he admits that there has been no explicit assurance that the CBI report will be placed on the take the House into confidence, which has been done.

Table of the House; Shri Morarji Desai himself admits that. The Government has only said that they will

Secondly, the CBI report as such—which is a report in accordance with section 173 of the Cr. P. C. has been placed on the Table of the House. It has been filed in the court.

Secondly, the report contains the gist of the statements of the witnesses, the evidence, the charges, the accusations and the accused. It is a detailed report running into several pages. This has already been done. It is there. All of you have got it. That report is there That is very much adequate for the purpose of a discussion in this House.

As I have repeatedly submitted, what is a CBI report? ..(*Interruptions*). The 'report' is a legal connotation as defined in law...

SHRI JYOTIRMOY BOSU: Mr H. K. L. Bhagat has just now said that the evidences and details of statements have been circulated. All that I wanted to tell the House is that the CBI charge-sheet, only the sharge-sheet, together wih a seizure list has been circulated to the House and also a list of persons who may be involved in giving evidence and nothing else. Mr. Bhagat is deliberately misleading the House. It is a matter of deep regret.

SHRI H. K. L. BHAGAT: So, what I am respectfully submitting is that the report is a legal connotation and in accordance with the expresse expression used in Section 173, CR Cr P.C., the investigating officer, after he has completed the investigation, will submit a report to the court in accordance with the prescribed form and, in that report, if you see, the gist of the evidence is given. It is mentioned that so and so has said this and so and so has said that and that is why these people are being prosecuted. My respectful submission is that the report which under the law could be given has been given.

Now, I go further. What are they asking for? Now, apart from the report, what is there in that investigation? One is the case diary and then, the statements of witnesses and FIR. All this has been given. What is a case diary? You know it very well. Even the statements of witnesses do not become statements unless they go to a court of law and depose. These statements are not admissible in evidence in accordance with the provisions of Sec. 162 Cr. P.C. Morarji Bhai is aware of that, that these statements cannot be used They are barred under the law. They can be used only for one purpose and that is for the purpose of cross-examination of witnesses when they depose in a court of law. This Parliament, sitting here, cannot go into statements which are not admissible, which a man can say or is free to say is not his statement. This Parliament cannot comment on it that this man is speaking truth or speaking half truth or untruth or that he is a liar. How can that be done?

Then, the case diary cannot be given. It is not given even to the accused.

This charge that the CBI report has not been given to them is a politically motivated charge and this threat of *Satyagraha* is a deliberate one and is a part of the compaign to destroy and weaken the democracy. I am sorry that Morarji Bhai has also fallen a victim to it. Several hon. Members *rose.*

SHRI S. A. SHAMIM (Srinagar): Please permit me. You will call only leaders of parties. I was recognised as a leader by the Deputy Speaker. I have as much right as Mr. Vajpayee and others. I was declared elected by a greater number of votes than Mr Vajpayee. Mr. Guptaji, please let me have my submission.

With your permission I will request the entire House to hear me for a minute. I do not have a body of members behind me to shout on my behalf. This country has so many sacred cows which are not to be mentioned. Supreme Court is one. Then there are the courts. Then this Parliament, of course, is there and then the President and my friends are now trying to create another one in the name of CBI, that no aspersions should be cast on CBI.... (*Interruptions*).

Now, the whole case is built up that the CBI agency should as such should be, like Caesar's wife, above board. I want to bring to your notice two pieces of information. One is that I happened to meet a CBI officer who refuses to disclose his identity but we did confirm that he was associated with this inquiry....

SHRI VAYALAR RAVI (Chirayinkil): No, no. He cannot say that.

PROF. MADHU DANDAVATE (Rajapur): He has not mentioned any name.

SHRI S. A. SHAMIM: They do not hear what he said. He said that the report cannot be presented. But what he said was that the story that only two signatures were validly made is not a correct one, that all the signatures are correct signatures. That is one.

Secondly, for your information, I am in possession of the CBI report. I seek your permission. If you like, I will give that copy to you and you lay it on the Table. I have said it earlier and I repeat it that the copy of the CBI report, the 300-page report I have. You either confirm or deny it. I have got it....

SHRI MADHU LIMAYE: You read from it Speaker's permission is not necessary.

SHRI S A. SHAMIM: Not at this juncture. I only wanted to tell you that I have got it. You can lay it. I will give it to you. It is upto you now.

The case that they were forged signatures is not a correct story. All the signatures have been genuine signatures and all this story has been cooked up when they found that so many Members of Parliament will be implicated. Therefore, Sir, the CBI should not be given this right to sit over this Parliament.

SHRI INDRAJIT GUPTA (Alipore): It was my misfortune that I could not be present here when you gave your ruling.

It follows from your ruling that the fundamental matter which is at issue has not yet been settled conclusively as you yourself have admitted in the ruling. That fundamental issue is: whether or not a solemn assurance or assurances given on the floor of the House can be implemented, whether the Parliament has got the power to get such an assurance implemented in full or not. That is the question at stake. I am more concerned, not with the technical and legal niceties of it, but the fact that the image of Parlia-

[Shri Indrajit Gupta]

ment is being denigrated in the eye of th public, the sovereignty of Parliament, its capacity to see that the assurances given on the floor of the House are implemented fully and in time, as you had occasion to mention here—whether that capacity rests in the Parliament or does not rest. That I consider is a very serious matter on which the whole future of parliamentary institutions in this country may depend. That is the reason why I also to-day find myself on this point, though I do not normally do, in the company of Mr. Morarji Desai, barring his threat about *Satyagraha* and all that about which we will see later on.

SHRI ATAL BIHARI VAJPAYEE: He is coming

SHRI INDRAJIT GUPTA: He is quite correct when he says that the honour of the Parliament, the honour of every Member of Parliament, the honour of the Government and, in all humility, your honour as Speaker of this sovereign Parliament and of this Lok Sabha is at stake.

How is that going to be solved? You have said quite categorically in your ruling—

> "As I stated in the House on the 12th November, the assurances given by the Home Minister and the Law Minister.. ."

—which you have earlier quoted—

> "were categorical and the Government were bound by them."

Then, Sir, you have absolved them of the privilege question by saying that they did not deliberately do anything, either decline to implement the assurance or any other thing One cannot question the ruling. Then you said:

> "There may be a dispute that the assurance was not implemented fully or in due time, and it can only be resolved by a debate in the House."

And then you said:

> "The House knows that it has various remedies available to it to call the Government to account and secure compliance with its directions."

I assume by this you mean that we have the remedy open to ask for a discussion by tabling a Motion, which does not necessarily mean that that will secure compliance with the directions of the House, because, as you know, such motion would naturally be voted out by the majority here. In this part of your ruling you have clearly indicated to us that 'there may be a dispute'—legitimately there may still be a residual dispute left over—even after the question of privilege has been decided by you, namely, whether that assurance was implemented 'fully or in due time'. Now this is a very disturbing question because none of us wants that the public at large, the people at large in this country should get any impression that only half of the assurance is implemented and that parliament is incapable of getting it fully implemented and so only or that Government is trying to hide something. I don't know what they want to hide.

I can understand one point and my friends, Mr. Sathe and Mr. Bhagat perhaps implied this, as I have understood them saying that it is undesirable that reports of the CBI should be laid on the Table of the House. Now, Sir, the question would not have arisen in this case but for the assurances which were given. It is only because an assurance was given—of course, they did not say in so many words that the Report will be laid on the Table,—that is not there, that is true. But, Shri Uma Shankar Dikshit, the then Home Minister said this:

> "The first thing that we will do is to come to Parliament and say,

this is where we have arrived; please tell us what we should do. It is only after that, according to the wishes of Parliament, that we will proceed. We are not closing the door for further investigation by Parliament."

This is what you have quoted in the course of your ruling. I hope my friends will take an objective view of this thing, in terms of this specific assurance given by the Home Minister at that time. Any fair line of interpretation would lead us to the conclusion that he led the House to believe that the report of the investigation would be made available to the House and that the House would advise the Government as to how to proceed in the matter. You yourself stated in the ruling categorically that 'propriety demands that the Government should have made a statement in the House on the 11th November and taken the matter to the court thereafter', which they did not do. I do not wish to labour the point any further. Our suggestion would be what we have been making repeatedly from our party at various times during the last two weeks that it is inescapable now. I do not for a moment suggest that CBI reports in future also should be laid and this will become a precedent. I am willing, on behalf of my party, to abide by any particular procedure which you may suggest by which the House and the Government can be assured that in this particular case it will be made categorically clear—it may be in the form of another ruling by you, Sir,—that this will not constitute under any circumstances 'a precedent for the future'. But, in this particular case, there is no escape. And, in view of the ruling that was given, I repeat, there is no escape. Therefore, we have been suggesting that this can be looked into by a committee where all the different parties and opinions are represented, a Committee over which you would preside. At least that committee must be given unrestrained access to the entire report and not only Part I or Part II or whatever it is. When Mr. Shamim who says he has got the report, authenticates it and lays it on the Table of the House, then it will become the property of the House in any case.

What will happen then? Therefore, from the broader view-point and interest of defending the sovereign right of Parliament *vis-a-vis* assurances given on the Floor of the House and to see that the reputation and dignity of the Parliament is not denigrated in the eyes of the public outside, you must as a follow up of this ruling advise and help us to see how that report can be made available so that we can not only tell to the people in the country that we have been able to assert our supermacy and been able to secure implementation of the assurance given but also that will make the other debates in future regarding Mr. Tulmohan Ram's conduct really meaningful and purposive without which it will not be possible.

SHRI N. K. P. SALVE (Betul): Sir, a cool and objective approach is required to ensure that the image of Parliament is not denigrated. I ordently hope that this occasion and the concession which you allow to different Members to make their submissions would not be abused by flaunting invectives on one and another. First and foremost, I really wished Shri Indrajit Gupta had done better than hunting with the hound and running with the hare. I really wish he could understand what exactly his party wanted.

SHRI INDRAJIT GUPTA: Who is the hound and who is the hare?

SHRI N. K. P. SALVE:: If Shri Indrajit Gupta cannot know who is the hound and who is the hare it is

[Shri N. K. P. Salve]

his misfortune. I cannot enlighten him about this here. Be that as it may, I think, it is no longer a question whether the CBI report is to be tabled or not to be tabled. The more basic issue is whether we have to abandon all the rules of procedure and the conventions which have been holding good for all these years in Parliament or do we have to run this Parliament under sheer intimidation. (*Interruptions*).

Sir, if we are in majority here it is as a result of elections. People have voted us here. It is not at opposition's mercy and charity.

I beg to submit for the consideration of Shri Morarji Desai. He has been connected with judiciary and he has known the due process of law.

Sir, it could be his view; it could be the view of Shri Indrajit Gupta and it could also be the view of the entire Opposition that implicit in the assurance given by the Home Minister was an undertaking to place the C.B.I. Report on the Table It is their view of the matter. Shri Indrajit Gupta also said that it is implicit; it could be one view of the matter that it has to be tabled. There could also be another view of the matter that it is not implicit Are we debarred from holding the view that it is not implicit as such in the assurance? An undertaking is, in fact, not implicit to that effect. And, if there is a controversy, can this House not decide that it has to be resolved—not by having a *satyagraha* but in accordance with the rules and procedures laid down by Parliament? Sir, it is an accepted convention of Parliament that if Parliament has any controversy, it has to be resolved by debate. The Parliament will be denigraded not because the C.B.I. Report is not tabled but because they are threatening to abandon all the conventions and rules of procedure which have held the field for several years.

So, my respectful submission is that your ruling which is absolutely clear is binding on one and all in this House. And if they want to challenge the ruling and defy it in this House, we make it clear that this intimidation of *satyagraha*—not once but hundred or thousand times—is not going to intimidate us. We shall abide by whatever you decide in the matter.

MR. SPEAKER: They started to make one submission. And now everybody wants to make a submission.

श्री अटल बिहारी वाजपेयी : आपने अपने फैसले में यह बात स्वीकार की है कि सदन श्री तुलमोहन राम के आचरण पर विचार कर सकता है। मै आपका एक अंश उद्धृत करना चाहता हू।

> "These allegations of bribery and forgery which have ben *prima facie* established by the C.B.I. are certainly very serious and unbecoming of a Member of Parliament, and he may be held guilty of lowering the dignity of the House".

आपने कहा है कि प्राइमा फेसई केस है। लेकिन उसका आधार क्या है। उसका आधार सी० बी० आई० की जाच है। उस जाच की रिपोर्ट सदन को बताई नही गई है। जाच रिपोर्ट को आपने भी देखने से इन्कार कर दिया, क्योंकि आपने कहा कि मैं इस झझट मे नही पड़ना चाहता। मै समझता हू कि आपने ठीक ही किया। यह ससदीय लोकतंत्र की परम्परा नही है, परिपाटी नही है कि सदन के किसी सदस्य के आचरण का मामला कोई बाहर की एजेंसी देखे। और फिर उस प्रश्न पर सदन विचार कैसे कर सकता है। तब तक सदन के सामने सी० बी० आई० की जाच की पूरी रिपोर्ट न हो।

मैंने पहले आरोप लगाया था और मैं उसे दोहराना चाहता हू कि कुछ मत्रियों को, सरकारी अफसरों को बचाने के लिए श्री तुलमोहन राम की बलि का बकरा बनाया जा रहा है। इस सदन

का अध्यक्ष होने के नाते क्या यह देखना आपका कर्त्तव्य नहीं है कि श्री तुलमोहन राम के साथ न्याय हो ? क्या आप सी० बी० आई० को इस बात का मौका देंगे कि वह श्री तुलमोहन राम को ऐसे मामले में फंसा दे जिस में और मंत्री फंसे हुए हैं और जिन मंत्रियों की सहमति के बिना श्री तुलमोहन राम लाइसेंस प्राप्त नहीं कर सकते थे ?

गृह मंत्री के आश्वासन की आपने चर्चा की है और आपने कहा कि उन्होंने जानबूझ कर सदन को गुमराह नही किया। आपने उनको उद्धृत किया। उनके वक्तव्य का अंश इस प्रकार है :

"The investigations did not disclose that any of the officers who dealt with the matter were involved in the commission of the offence."

इसके पश्चात् गृह मंत्री द्वारा दी गई सफाई का एक भाग आपने उद्धृत किया :

"In the course of investigation no evidence became available to corroborate the statement of Shri S. N. Pillai. It was this intention which I had communicated in my statement and nothing more should be read into my observation."

क्या केवल गृह मंत्री का कह देना काफी है ? गृह मंत्री ठीक कह रहे हैं या नहीं इसका फैसला बिना सी० बी० आई० की रिपोर्ट देखे कैसे हो सकता है ?

आपने कहा है और मैं श्री इंद्रजीत गुप्त से सहमत हूं।

"The House knows that it has various remedies available to it to call the Government to account and secure compliance with its directions."

अब क्या रास्ता है ? लाइसेंस कांड की चर्चा कराने के लिए पिछले सत्र में हमें क्या कुछ करना पड़ा, मैं उसकी याद दिलाना नहीं चाहता हूं। अब सी० बी० आई० की रिपोर्ट लेने के लिए आप बताएं कि हम क्या करें। अगर प्रस्ताव लाएंगे तो बहुमत से उसको ठुकरा दिया जाएगा। क्या सच्चाई का फैसला बहुमत के बल पर होगा ?

विधि मंत्री ने जो आश्वासन दिया था उस में केवल यह नहीं था कि हाउस को कन्फिडेंस में लिया जाएगा। उन्होंने कहा था :

"After the results of the investigation are available, we shall take the House into confidence. The whole matter is open to the House to consider at that time."

क्या मामला खुला हुआ है ? आज कहा जा रहा है कि मामला अदालत में है, सब जुडिस है, इसलिए इस मामले में पार्लियामेंट कुछ नही कर सकती है। क्या यह आश्वासन को पूरा करने का तरीका है। आज श्री मुरारजी देसाई ने यह मामला उठाया है। उन्होंने कोई धमकी नही दी है। हमारे कांग्रेस के मित्र यह बताएं कि ऐसे मामले में जिस में उनका सम्मान भी जुडा हुआ है, जिस में कांग्रेस के सदस्य श्री तुलमोहन राम की प्रतिष्ठा दांव पर लगी है ....

श्री वसंत साठे (अकोला) : चर्चा कर लीजिए।

श्री अटल बिहारी वाजपेयी: चर्चा किस आधार पर करें? सी० बी० आई० की रिपोर्ट के बिना कोई चर्चा नहीं हो सकती है। अगर हमारे सामने कोई उपाय नहीं है तो आप बताएं हम क्या करें। क्या उपाय का मतलब यह है कि बहस हो जाए और मतदान से हमारा प्रस्ताव पराजित हो जाए ? वह दवा नहीं होगी क्योंकि फिर भी यह सवाल खड़ा रहेगा कि सी० बी० आई० की रिपोर्ट क्यों नहीं आई। आप सभी समाचारपत्रों के सम्पादकीय लेख पढ़ ले, आम आदमी से सड़क पर जा कर बात कर लें। सी० बी० आई० की रिपोर्ट सरकार पेश नही कर रही है, इसलिए सरकार का मुंह जनमत की दृष्टि में काला हो गया है और यह कालिख हमारे मुंह पर भी लग रही है। इसका इलाज

[श्री अटल विहारी वाजपेयी]

एक ही है कि सी० बी० आई० की रिपोर्ट आए। अगर ऐसा नहीं होता है तो फिर हमें ऐसा तरीका अपनाना पड़ेगा जो हम अपनाना नहीं चाहते।

मैं श्री मुरारजी देसाई को बधाई देना चाहता हूं कि आज प्रतिपक्ष के प्रवक्ता के रूप में, नेता के रूप में उन्होंने हमारी भावनाओं को प्रकट किया है। उन्होंने जो कुछ कहा है वह हम करके दिखाएंगे।

SHRI C. M. STEPHEN (Muvattupuzha): I feel it is most unfortunate that a matter which was laid at rest by prolonged hearing on the floor of the House and a final ruling by you is sought to be raked up in a manner which is extremely uncomplimentary as far as parliamentary procedure is concerned. There are now two aspects to this question. One of the arguments raised by the other side is that by way of implementation of the assurance, the CBI Report has got to come on the Table. The other aspect is that if it is not so brought, then some extra-parliamentary action will be resorted to get it on the Table of the House.

With respect to the first, my humble submission is that your ruling is absolutely clear. You had said:

"As I stated in the House on the 12th November, the assurances given by the Home Minister and the Law Minister were categorical and the Government were bound by them. However, it is not the case of the Ministers that they would not fulfil them. Indeed, though a little later, they have come to the House and have placed before the House the gist of the inquiry held by the CBI, the chargesheet filed in the court against the accused and have explained the manner in which the assurances have been fulfilled."

I underline the sentence from your ruling; you said:

"There is therefore no question that the Government have deliberately declined to implement the assurance."

With respect to this assurance the Government has taken a stand. The stand is that the assurance does not include the production of the CBI report. After hearing both sides, you have come to the conclusion that there was no question that the Government have deliberately declined to implement the assurance ,implying thereby that the production of the CBI Report is not part of the assurance. Otherwise you would have said that the Government continued to deliberately violate the assurance. Since the production of the CBI report is not part of the assurance, you have given that ruling. You have not closed the matter; you say that there may be a dispute that the assurance was not fully or in due time implemented and that it might be resolved by a debate in the House. In any democracy, the only way to settle differences between two sides is by a debate and a discussion and nothing else. You have said so in spite of the fact that there is a machinery under the rules which is empowered to go into this question, because of the peculiar nature of the circumstances in this case.

Coming to the Tulmohan Ram issue you said that it might be discussed. Therefore the two questions are open for discussion in this House. One is whether the production of the report of the CBI in this House is or is not a part of that assurance. So, you have allowed a discussion with respect to this and the other aspect also. The Opposition are not prepared to avail of the opportunity so provided by you. They are not prepared to initiate a discussion or move any

motion. As I submitted yesterday, even if you decide it could not be produced because there is no rule which compels any body to produce anything on the Table of the House; the Table of the House is not a waste paper basket for anybody to send any rubbish; it is something more sacred. There must be a motion before this House, and then there can be a discussion. The fact that the Government has nothing to hide is evidenced by the fact that the Government had passed on this to the Speaker and said: here it is; if you feel that the rules permit it, you may give a direction and it will be produced. The Government is not withholding it. Nobody can say that it should be produced, because it will be contrary to the rules. The Speaker does not have the authority or jurisdiction under the rules and nothing like this can be ordered unless the rules permit It is not the Speaker's position which should decide whether it should be produced or not. Much more important is the statement made by Mr Morarji Desai. There is an honest difference of opinion between two sides.

Shri Morarji Desai has said that he will get something done not through discussion, debate or dialogue but by pressure and coercion. He said, he will hold up the proceedings of the House. If this is accepted, anything that the opposition wants can be got done by this method. This is the crucial question. The question whether CBI report must be produced or not pales into significance. The question is whether any faction or group can be permitted in a democracy to come to the Parliament and say, we will get it done by satyagraha and forcing you to do it. That challenge has got to be faced. This Parliament shall not be cowed down by this Nothing will be produced and it will be resisted.

PROF. MADHU DANDAVATE: Sir, I wish to bring to your notice that the conduct of this House is governed by a number of aspects and I would like you to take all of them into account. In the conduct of this House, conventions are important; rules of procedure are important; matters of privilege are important; even matters of propriety are important. I shall make a brief reference to what Shri Morarji Desai has said about satyagraha. All of us who have accepted the teachings of Mahatma Gandhi always believe that in order to complete a democracy, parliamentary practices are to be supplemented by the spirit of satyagraha. Otherwise, democracy is never complete. Gandhiji in relation to Parliamentary practices has said that unlike the west, in this country the process of democracy can be completed by supplementing the parliamentary processes by the spirit of satyagraha outside. Therefore I would like to point out that conventions are important. You have rightly said there is full freedom for the House to debate the issue. But if your ruling is to be implemented effectively, no effective debate is possible unless the basis is provided by the CBI report. One more element has been added by Mr. Shamim, who has said, he is in the possession of the CBI report and even that report will come before you in right time. You have said in your ruling:

> "Nevertheless, I should see that propriety demanded that the government should have made a statement in the House on the 11th November when the present session commenced and taken the matter to the court thereafter, particularly when the case was instituted in the court on that very day, 11th November."

13.00 hrs.

Some of us have been repeatedly saying that on a number of occasions impropriety has been committed by the members of the ruling party. You have often said that a privilege is not attracted but there is a breach

[Prof. Madhu Dandavate]

of propriety. I have said on a number of occasions that you have to evolve a mathematical formula as to how many improprieties are equivalent to one breach of privilege. This is one more occasion on which a breach of propriety has been committed.

Therefore, in order that a free and frank debate should take place, the CBI Report should be made available. If it is not available to implement your own ruling what is the remedy that is left to the opposition. Gandhiji has always thought of satyagraha if the parliamentary methods failed in independent India, free India, in Young India. In the *Harijan* he had written that a time may come even in free India, when the rulers misbehave, when satyagraha will have to be resorted to. That might not be in tune with the new Gandhi, that is, Indira Gandhi, but it is in tune with the teachings of Mahatma Gandhi. We want the CBI report to be discussed and it is in that context the threat of satyagrahaya has come. So, I would like you to meet all the leaders of the opposition and the ruling party and find out a way by which the CBI Report can be brought before the House so that a full-fledged debate on the whole issue can take place in this House.... (*Interruptions*).

PROF. NAVAIN CHAND PARASHAR (Hamirpur): Sir, I invite your attention to rule 352(viii) which says:—

> "A member while speaking shall not—
>
> ....(viii) use his right of speech for the purpose of obstructing the business of the House."

The proceedings of this House are meant to be conducted in an orderly manner. It is very unfortunate that a senior member has given the threat of satyagraha to block the proceedings of the House if a certain thing is not laid on the Table of the House. Sir, you in your wisdom have given a ruling which is binding on all sides of the House. We will submit to it like the members on the other material for it? Does your ruling block the proceedings of this House if a certain thing is not done, it is a threat to parliamentary democracy and it is a challenge which we are ready to face both here and outside. We would not like the procedings of this House to be obstructed by the threat of one member or by the congratulation of another member.

SHRI SHYAMNANDAN MISHRA: After the statement of the hon Member, Shri Shamim, the matter has indeed become very serious and I would implore very sympathetic consideration by the hon. Members of the Treasury Benches of some of the points that we have humbly urged in this connection. It appears that the hon. Member, Shri Shamim is in possession of the entire report of the CBI. He has given a hint that in fact our hon friends, who were alleged to have been associated with the memorandum are not, after all, really exonerated.

So, the substantive matter remains, that is, whether these 21 Members were really associated with that document, with that memorandum, or not and whether the forgery has been committed by only one Member or has been committed by the entire lot of 21 Members.

In fact, I did not go mainly by the report of the CBI but mainly by the assertions, the denials, that had been made by 21 Members. I would largely go by their statements of denial. It is in their own interest, in the interest of the ruling party, to get their names cleared finally. That is not being done. So, the main duty of Parliament to ascertain the truth about the association of these Members with that memorandum remains.

Then, there is also another substantive matter that remains, whether

there has been ministerial responsibility and the official responsibility in the matter. Sir, you will be pleased to recall that when the debate took place during the last session the question raised was not only whether these Members were associated with that memorandum or not but also whether the ministerial responsibility and the official responsibility was attracted or not. My hon. friend Shri Atal Bihari Vajpayee, who moved the motion made certain charges against the Minister who had dealt with this matter. In fact, the whole House looked forward to the report of the CBI from this point of view, whether there was ministerial responsibility involved in this or not, whether there was the official responsibility involved in this or not.

Now, we do not go for the heads of the officials. If any, it must be the ministerial head. Any Minister worthy of his position and honourable ponsibility squarely and he will not enough will himself accept the resshove it away on the shoulders of the officials. In fact, in parliamentary system, we are concerned with the ministerial responsibility. In this case, that matter also remains.

Some of the hon. Members have tried to tell us, "If the gist of the document has been given to you, why do you complain and murmur?" May I ask them: Who will determine whether the gist contains the distilate of all the findings of the CBI? I ask you in all humility at my command whether the gist contains the distilation of all the findings of the CBI. That can be determined only on the basis of the report of the CBI.

Now, after all the experience that we have had in this matter that the Minister makes a clear and categorical assurance that he would come to the House and the Minister goes to the court, after all that, would my hon. friends there seriously suggest to us that we should believe them? Would you ask us to believe you? Here is a trickery, a fraud, perpetrated on Parliament that the Government goes to the court after giving an assurance to the House that they would come before the House.

It is not an ordinary ruling that the honourable Speaker has given The honourable Speaker has found the Government guilty of impropriety. What that impropriety means? When it comes to an institution like Government, any Government, on the basis of your ruling, would have come forward with resignation then and there when being heard about it because this sticks to them.

Then, the House gave two options to the Government. The first course is that you must produce the document in consonance with the assurance that you have given to the House. There is the other variant, a moderate variant, which was given by my hon friend, Shri S. M. Banerjee and Prof. H. N Mukerjee. The two options have been given. You do not accept any option, either produce the document for the entire House or produce the document for the consideration by a Committee of the House, if you think that the entire matter should not come into the open. Now you are not even prepared to do that. Then your ruling would remain only non-ruling. Ruling means that it has to be observed in all its implications. Now the ruling is that two discussions can take place, one on the adequacy or inadequacy of the information supplied and the other on the conduct of an hon. Member. If this document is not produced, it is our humble submission, the discussion cannot take place. How can the discussion take place? How are we to judge? Then, your ruling would be construed to mean, when it comes to discussing the conduct of the hon. Member, Shri Tulmohan Ram, that we should only go on mounting attack on him. If I have to defend the hon. Member, Shri Tulmohan Ram, where is the material for it? Does your ruling only amount to mounting an attack

[Shri Shyamnandan Mishra]

on him? It may well be that that source material, that mother document, the report of the CBI, might contain many aspects which might go to the defence of the hon. Member, Shri Tulmohan Ram. We are not after the blood of this Harijan member of this House....

SHRI N. K. P. SALVE: If he has any serious intention of defending Shri Tulmohan Ram, then I can suggest a wayout. He should call for the man and take his instructions; then he will be able to defend him much better than by reading the CBI report.

SHRI SHYAMNANDAN MISHRA: He belongs to the worker section of the community and he, indeed, deserves all the sympthy and commiseration that we can muster. We would like to have all the material which can go to defend him.

Finally, Mr. Speaker, some hon Members have taken objection to *satyagraha*. I ask them: what does *satyagraha* mean? Does *satyagraha* mean intimidation? No; it never means that. *Satyagraha* only means that we are going to stand on truth. Now, the hon. Members from the other side say: are we going to be coerced by the minority? No. I agree with their proposition. But, by the same token, I ask them: should we be coerced by the majority? Mr. Speaker, it is said here that a debate can take place in the House and the debate will lead to ascertainment of House in the presence of the hon. Member, God forbid, from this side of the House is beaten by an hon Member from the other side of the House in the presence of the hon. Speaker who has no eyes or ears, and if it has to be decided by majority, then we would get beaten all the time. I have submitted to you on many occasions that, in this House, even murders may be decided by majority. Therefore, Sir, my humble submission to you is that you should exercise your own discretion. I do not agree with the view that the hon. Speaker is so helpless in this matter, as my hon. friend from this side would like to suggest, that the Speaker cannot direct. The Speaker can direct and here is one occasion when a direction from the Chair is needed. Otherwise, this House would be reduced to a great force. My hon. friends may bear in mind that this side of the House may be small in number as has been mentioned by them, but we do represent, in terms of the electorate, 56 per cent of the electorate, and we cannot be stifled like this in this matter.

अध्यक्ष महोदय : रोज इसी तरह से चलता है —सवा-दो, ढाई बज जाते है— इस तरह से कैस चलेगा । रोज यह नही चलना चाहिये ।

श्री मधु लिमये : सरकार के दिमाग को ठीक कीजिये, सरकार को सुधारिये ।

अध्यक्ष महोदय : मैंने तो रूलिंग दे दी है ।

श्री मधु लिमये : मुझे सप्लीमेन्ट्री रूलिंग चाहिये । दो-तीन नये मुद्दों पर मुझे आप की रूलिंग चाहिये, इस लिये मुझे प्रस्ताव मूव करने दीजिये ।

SHRI SHYAMNANDAN MISHRA: We have come to a dead end

SHRI MADHU LIMAYE: I want a supplementary ruling.

SHRI JYOTIRMOY BOSU: I want a clarification...

MR. SPEAKER: I am not allowing

What I propose is that we may take this up tomorrow. Meanwhile I do not accept anything, except what is already there. I cannot accommodate all of you before lunch time. We will take this up tomorrow.

Now, we adjourn to re-assemble after lunch at 2.15 p.m.

13.18 hrs.

The Lok Sabha adjourned for Lunch till Fifteen Minutes past Fourteen of the Clock.

—

The Lok Sabha reassembled after Lunch at Eighteen Minutes past Fourteen of the Clock.

[MR DEPUTY-SPEAKER *in the Chair*]

MR DEPUTY-SPEAKER Now, Papers to be laid .

श्री मधु लिमये (बांका) उपाध्यक्ष जी, मेरी आपसे विनम्र प्रार्थना है और एक व्यवस्था का सवाल है । कल जब मैं सिक टैक्सटाइल अन्डरटेकिंग्स के बारे में .

MR DEPUTY-SPEAKER That is not coming up today

श्री मधु लिमये मैं आप की रूलिंग चाहता हूं, आप को ही रूलिंग देनी थी ।

MR DEPUTY SPEAKER Why not raise this when it comes up tomorrow, when this Bill comes up tomorrow?

श्री मधु लिमये बिल तो नहीं पता कब आता है । लेकिन मैं ने जो मामला उठाया उस पर रूलिंग नहीं आयी । मैं रूलिंग चाहता हूं । बिल का उस से कोई सम्बन्ध नहीं है । मेरा स्टेचुटरी रिजोल्यूशन से सम्बन्ध था, उस पर वोटिंग खत्म हो गई । लेकिन रूलिंग नहीं आयी । आप एक मिनट मेरी बात सुन लें । कल मैंने अपने भाषण के दौरान नोटिस दे कर ब्रिटिश इंडिया कोरपोरेशन के बारे में माननीय उमाशंकर दीक्षित के ऊपर अभियोग लगाया, जिस के बारे में जानकारी मुझे एक सर्वोदयी कार्यकर्ता कुमारी सरोजा ने दी थी । और उन्होंने कहा था बी० आई० सी० के श्री पी० सी० जैन ते कांग्रेस पार्टी के ट्रेजरार, श्री उमाशंकर दीक्षित को 10 लाख रु० दिया । मेरा सवाल यह है कि कल माननीय पाई साहब ने इस का जवाब दिया । लेकिन रूल यह है, जरा आप शंकधर की किताब ले लीजिये, पृष्ठ 354 . . .

MR DEPUTY SPEAKER Order please I say that this can be brought up tomorrow before we resume discussion on this Bill Why bring it now?

श्री मधु लिमये मुझे पता नहीं वह कब लायेंगे बिल । मैं केवल यही आश्वासन चाहता हूं कि इस का व्यक्तिगत स्पष्टीकरण दीक्षित जी को करना चाहिये । पाई साहब नहीं बोल सकते हैं । शंकधर कौल की किताब में यह लिखा हुआ है

"Personal explanation can be made only by "

MR DEPUTY SPEAKER I know that This may be brought up when the Bill comes

श्री मधु लिमये इस बीच में माननीय रघुरमैया का आदेश दीजिये । उस दिन माननीय दीक्षित जी उपस्थित रहे और मेरे अभियोग का जवाब नहीं आया ।

MR DEPUTY SPEAKER Again I say this is not the proper occasion. When discussion on this Bill is resumed you can raise this point and at that time this point will be disposed of

श्री मधु लिमये आप रहेंगे उस समय? या तो स्पीकर रहे या डिप्टी स्पीकर रहें । चेयरमैन तो रूलिंग देते नहीं है । इलेक्टेड आफिसर्स तो दो ही हैं, क्यों माननीय रघुरमैया जी? या तो स्पीकर या उपाध्यक्ष । मैं क्या कर सकता हूं, मेरे साथ न्याय नहीं होता है इसीलिये मुझे बोलना पड़ता है । माननीय रघुरमैया जो उस दिन दीक्षित जी को पकड कर ले आये ।

श्री जनेश्वर मिश्र (इलाहाबाद): मैं नोटिस दे चुका हूं । उपाध्यक्ष जी, 2 दिसम्बर, 1974 के स्टेटसमैन अखबार मे एक खबर छपी है कि इंडियन मेडिकल इंस्टीट्यूट मे, दिल के दौरे के लिये एक दवा होती है नोवाड्रेलाइन, वह नही मिली। केवल राष्ट्रपति भवन मे मिली । लेकिन बिम्ब मे मिलने के कारण श्रीमती सुचेता कृपालानी का देहान्त हो गया । उस मे यह भी खबर छपी है कि कमरा बिलम्ब मे मिला । हम चाहेंगे कि स्वास्थ्य मंत्री इस बारे मे सफाई दें । यह सही है कि उन के रिश्तेदारों ने इसका खंडन किया है, लेकिन यह हो सकता है कि सरकार के आदमी उन के रिश्तेदारो के घर चले गये हो और कहा हो कि ऐसा विवाद न चलाया जाय । जो हृदयरोग के विशेषज्ञ डा० कैरोली है उन को आम जनता मे हटा कर राष्ट्रपति का डाक्टर बना दिया गया है । बढिया डाक्टर केवल थोडे से लोगों के लिये ही रख जाते है, आम जनता की किसी को परवाह नही है । मैं चाहूंगा स्वास्थ्य मंत्री सदन मे इस बारे मे वक्तव्य दें ।

SHRI S M BANERJEL (Kanpur) Sir I may be given one minute I want to move my adjournment motion

MR DEPUTY SPEAKER According to the arrangement of business before the House an adjournment motion shou t come up immediately after the Question Hou

SHRI S M BANERJEE After the Question Hour according to priority came the privilege motion

श्री मधु लिमये : आप को हम मिस-गाइड नही करेंगे ।

MR DEPUTY-SPEAKER This is the direction of the Speaker—first Oath or affirmation, then Obituary references then Questions then Leave to move motions for adjournment of the business of the House and then questions involving a breach of privilege

SHRI S M BANERJEE Yesterday when I wanted to raise I was not allowed

श्री मधु लिमये . मेरे पौइट आफ आर्डर खडा हो गया जिसकी वजह से न ऐडजर्नमेंट मोशन आया और न बाकायदा प्रिवलेज का मामला आया । मेरे पौइट आफ आर्डर पर सब शुरू हुआ ।

SHRI S M BANERJEE I have tabled an adjournment motion regarding Government's failure to pay four instalments of dearness allowance Sir it is not a joke It is more than Tulmohan Ram

To-day we are meeting in a Convention And thousands of delegates have come Government has no reason to deny this They have accepted the Pay Commission's recommendation On the basis of that, four instalments of D A are due

MR DEPUTY-SPEAKER This is not a new thing You have been bringing this up every day

SHRI S M BANERJEE This is a Central matter

MR DEPUTY-SPEAKER So many are Central matters So many things come up

SHRI S M BANERJEE Kindly ask the Finance Minister to make a statement

SHRI INDRAJIT GUPTA (Alipore) The matter has been raised several times But, there has been no response from the other side This is such an important matter affecting 21 lakhs employees, I believe, but nobody gives any reply or makes a statement about it That is why they are resorting to various forums. You will direct the Minister to make a statement

MR DEPUTY-SPEAKER What remedy have we got? What remedy have I got?

SHRI S. M. BANERJEE: You will allow me to move the adjournment motion.

MR. DEPUTY-SPEAKER: Mr. Banerjee, this is between you and Government. The members of the Treasury Benches who are here have heard you. If they do not respond to it, what can the Chair do?

SHRI S M. BANERJEE: Now, I rise on a point of order. My point of order is very simple. According to the rules of procedure, an adjournment motion can be moved on that condition.

MR. DEPUTY-SPEAKER: That is after the Speaker has given his consent You cannot move this without his consent.

SHRI S. M. BANERJEE: You will please read the rules This is of urgent public importance concerning the Central Government employees You ask the Finance Minister to make a statement. They have not paid four instalments of D A.

MR DEPUTY-SPEAKER: Mr. Banerjee, due notice will be taken of what you say. Now, let us get on to the business.

SHRI S. M. BANERJEE, You will kindly ask the Finance Minister to make a statement

MR DEPUTY-SPEAKER: They have heard you.

SHRI S M. BANERJEE: Let the Parliamentary Affairs Minister say something about this. Sir, 25 lakhs employees are agitating over this.

MR. DEPUTY-SPEAKER: Have you got anything to say? Let us now get on to the business. What all you mentioned just now has gone on record.

SHRI S. M. BANERJEE: Sir, am I not entitled to raise this issue? Let the Finance Minister make a statement on the four instalments of D.A. due to these employees. When so many people met the Finance Minister, outside this House, he assured them—10,000 people went and met him—to make a statement on it.

MR. DEPUTY-SPEAKER: Mr. Banerjee, you will please cooperate.

SHRI S. M. BANERJEE: You will ask the Finance Minister to make a statement.

श्री अटल बिहारी वाजपेयी (ग्वालियर) आपके हाथ मे यह तो है कि आप हमारा कालिंग एटेंशन मंजूर कर लें। मंत्री जी को बयान देने के लिये नही कहते हैं तो मेरा कालिंग एटेंशन दिया हुआ है :

"Reported delay in announcing the instalments of D A. due to Central Government employees because of rise in price."

MR. DEPUTY-SPEAKER. This notice will be taken into consideration.

SHRI S. M. BANERJEE: By whom?

SHRI P. G MAVALANKAR (Ahmedabad): Why don't you ask the Minister of Parliamentary Affairs to make a statement on this?

MR DEPUTY-SPEAKER: So many things come up for consideration. These things cannot be disposed of just off the cuff sitting in the Chair. Calling Attention Notices or Adjournment Motions are duly considered by the Speaker in his Chamber. After taking everything into consideration they come up This is not the only notice given. There are many other notices If we resort to this practice of making a decision here from the Chair itself, then there would be no end to this. There would be utter confusion. I can understand Mr. Banerjee who has advocated this important matter affecting so many people. You have done your duty.

SHRI S. M. BANERJEE: It is of a serious nature concerning 25 lakhs Central Government employees. The D.A. is due from 1st of July. Why have they not paid?

SHRI INDRAJIT GUPTA. Is the Government doing its duty?

MR. DEPUTY-SPEAKER: I do not know. How can I speak for Government? I have allowed you. You have given expression to your views All these have gone on record. To that extent, you have done your duty Now the Government have heard you They have got ears

SHRI S M BANERJEE The records are sold in the market. What will I do with them?

MR DEPUTY-SPEAKER I do not know How can I help you?

SHRI S M. BANERJEE You can direct them

श्री मधु लिमये. यह तो नहीं कहा गया कि आप डी० ए० देना शुरू कर दें । यह कहा जा रहा है कि मंत्री जी से बयान दिलवायें ।

SHRI P G MAVALANKAR Ask the Minister to make a statement

SHRI INDRAJIT GUPTA. Let the Minister of Parliamentary Affairs at least say that he will convey it to the Fiance Minister. He sits like a Buddha. I do not understand.

MR DEPUTY-SPEAKER· I think we have travelled one step further than that. The other day Prof Mukerjee said 'Brahma', not Buddha Now we have entered the age of Brahma Let us get on with the business

SHRI S M BANERJEE Let the Minister say something.

SHRI MADHU LIMAYE· He is only laughing.

SHRI S. M BANERJEE: This is not a laughing matter, but a very serious matter.

श्री एम० राम गोपाल रेड्डी (निजामाबाद) : इस को पूरा कर दीजिये न, बुद्धम् शरणम गच्छामि ।

MR. DEPUTY-SPEAKER· Papers to be laid on the Table.

SHRI S. M BANERJEE Can you not direct them?

MR. DEPUTY-SPEAKER I cannot. The powers of direction have to be used very sparingly. In this matter, when the Government themselves are present and they have heard you, what is the need of a direction from the Chair? I do not understand

SHRI S M BANERJEE My fear is only this I am told they are not going to pay this D A but are going to freeze the entire amount, not 50 per cent That is my fear That is why I am raising this issue otherwise, I would not have raised it Shri Raghu Ramaiah is there He should ask the Finance Minister to make a statement. I am agitated only because of that

MR DEPUTY-SPEAKER The Deputy Finance Minister is here She has heard you The Minister of Parliamentary Affairs is here

SHRI S M BANERJEE Let her speak If this is not settled, we are going to have another satyagraha here.

14.32 hrs.

PAPERS LAID ON THE TABLE

ORDERS OF DELIMITATION COMMISSION UNDER DELIMITATION ACT, 1972

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH): On behalf of Dr. Sarojini Mahishi, I lay on the Table a copy

each of the following Orders (Hindi and English versions) of the Delimitation Commission under sub-section (3) of section 10 of the Delimitation Act, 1972:—

(1) Order No. 24 of the Delimitation Commission in respect of the State of Tripura, published in Notification No. S.O. 633 (E) in Gazette of India, dated the 7th November, 1974.

(2) Order No. 25 of the Delimitation Commission in respect of the State of Meghalaya, published in Notification No. S.O. 634(E) in Gazette of India dated the 7th November, 1974.

(3) Order No 26 of the Delimitation Commission in respect of the State of Assam, published in Notification No. S.O. 635(E) in Gazette of India dated the 7th November, 1974.

[*Placed in Library. See* No. LT-8630]

SHRI NOORUL HUDA (Cachar): I would like to draw the attention of Government and yourself also to part (3) of item 2, Order No. 26 in respect of the State of Assam. This is purported to have been published on 7 November, 1974. Today is the 3rd December. I understand the last day for filing objections to the proposals of the Delimitation Commission has been fixed on 7 December, 1974. I had gone to the Election Commission and other places and have not been able till 30 November to procure a copy of these proposals. I had been to my home district, Silchar, Cachar district in Assam. There also I found that upto 26 November, these notifications and also the proposals had not been received in the election office of that district. The officer there was not in the know of things. He had sent a special messengar to procure a copy from Gauhati Assam.

So it appears to me that Government is dilly-dallying on this, because only four days are left for filing objections. Hence I would suggest to the Law Minister and others in Government that the last date for filing objections to the proposals should be extended from 7th December to, say, 20th or 31st December. Otherwise, people would be deprived of the opportunity of filing objections to the proposals. The proposals involve major changes in the constituencies of Assam including my own, Silchar Cachar district. That is why I would humbly request Government through you to extend the last date for filing objections to the proposals.

STATEMENT re. DEMAND NO. 83 RELATING TO THE DEPTT. OF REHABILITATION

THE DEPUTY MINISTER IN THE MINISTRY OF SUPPLY AND REHABILITATION (SHRI G. VENKATSWAMY): I beg to lay on the Table a statement (Hindi and English versions) in regard to Demand No. 83 relating to the Department of Rehabilitation, included in the Supplementary Demands for Grants in respect of the Budget (General), for 1974-75, presented to Lok Sabha on the 18th November, 1974. [*Placed in Library. See* No. LT-8631/74].

MR. DEPUTY-SPEAKER: Shri Samar Guha is not there.

14.36 hrs

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED COLLAPSE OF THE HANGING ROPE BRIDGE OVER THE MAHAKALI RIVER

श्री नवल किशोर शर्मा (दौसा): उपाध्यक्ष महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर विदेश मंत्री का ध्यान दिलाता हूं और प्रार्थना करता हूं कि वह इस बारे में एक वक्तव्य दें :—

"भारत-नेपाल सीमा पर महाकाली नदी के रज्जुपुल के गिर जाने और उस के परिणामस्वरूप 140 से अधिक व्यक्तियों, जिन में अधिकांश भारतीय थे, की मृत्यु हो जाने का समाचार"।

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI BIPINPAL DAS): Following the publication of reports which appeared in the press on the 27th November 1974, to the effect that a suspension bridge over the Mahakali River at JAULJIBI on the Indo-Nepalese border had collapsed on the 17th November and that 140 persons were feared killed, my colleague the Minister for Shipping and Transport, made a statement in the Rajya Sabha on the 28th November to the effect that full facts regarding this accident were being collected from the U.P. Government. Our Embassy in Kathmandu was also in touch with the Nepalese authorities.

I am happy to be able to inform the House that both the U.P. Government and the Government of Nepal have now confirmed that the earlier press reports were exaggerated The Government of U.P. despatched the Commissioner, Kumaon, to the site of the accident. After his visit he has reported that there was no death on our side.

The Government of Nepal have informed our Embassy in Kathmandu on the 2nd December that they have also received detailed reports of this accident. According to these reports one Nepali woman was killed in the accident and two Nepalese children are reported missing. There were no other casualties on either side apart from 8 Indians who received minor injuries and were given prompt first aid.

MR. DEPUTY-SPEAKER: I notice from the minister's statement that he has made a reference to a certain statement made in the Rajya Sabha by the other minister. It is a well-established rule of this House that unless the minister makes a statement of definite policy in the other House, what happens in the other House is never quoted here because that opens the door of reference to the proceedings of the other House, which is unhealthy.

PROF. MADHU DANDAVATE (Rajapur): The entire Tulmohan Ram episode arose out of that!

MR. DEPUTY-SPEAKER: Rule 354 says:

> "No speech made in the Council shall be quoted in the House unless it is a definite statement of policy by a Minister."

I am only pointing out this that what I insist on members, I would insist on the ministers too.

SHRI ATAL BIHARI VAJPAYEE (Gwalior): Instead of quoting, can he give a gist?

श्री नवल किशोर शर्मा उपाध्यक्ष महोदय, मंत्री महोदय ने जो स्टेटमेंट अभी दिया है, उस से इस बारे में उतनी परेशानी नहीं रही, जितनी कि पहले थी। यह खुशी की बात है कि इस दुर्घटना में बहुत ज्यादा लोगों को जानें नहीं गईं, जैसा कि अखबारों ने लिखा था, और केवल मात्र 8 भारतीय मामूली रूप से घायल हुए।

मगर इस सदर्भ में प्रश्न यह है कि यह वाकया 17 नवम्बर का हुआ था और इस की सूचना जिलाधीश, पिथौरागढ़ ने विदेश मंत्रालय को 18 नवम्बर को दे दी और 27 नवम्बर को इस बारे में राज्य सभा में एक बयान दिया गया। उस बयान के वक्त यह जाहिर किया गया —अखबारों में जो कुछ आया है, मैं उस के आधार पर कह रहा हूं—कि सरकार को अभी सूचना प्राप्त नहीं हुई है और काठमंडू में हमारी एम्बेसी से पूछ-ताछ की जा रही है। मैं मंत्री महोदय का ध्यान इस ओर दिलाना चाहता हूं कि बावजूद इस बात के कि हमारी सरकार, और इस देश के रहने वाले हम सब लोग, नेपाल के साथ बहुत अच्छे मित्रता के सम्बन्ध रखना चाहते हैं, और हम चाहते हैं कि हमारी और नेपाल की मित्रता प्रगाढ़ हो, इस बात से इन्कार नहीं किया जा सकता

है कि नेपाल में कुछ तत्व ऐसे हैं, जो भारत के खिलाफ विष-वमन करते रहते हैं और वहा की सरकार का भी रवैया कभी कभी गैर-जिम्मेदाराना होता है ।

मंत्री महोदय ने अपने स्टेटमेंट में कहा है : "दि गवर्नमेंट आफ नेपाल हैव इनफार्म्ड आवर एम्बैसी इन काठमंडू आन दि सैकड दिसम्बर....."। नेपाल गवर्नमेंट के अपने अखबार "राइजिंग सन' ने, जो उस का स्पोक्समैन पेपर है, इस खबर को 26 नवम्बर को छापा, जिस मे कहा गया कि इस दुर्घटना मे 140 भारतीय मारे गये। उसके बाद हमारे यहा दूसरे सदन मे यह प्रश्न उठाये जाने के बाद, और गालिबन हमारी एम्बैसी के प्रयत्न करने के बावजूद, नेपाल सरकार 2 दिसम्बर को यह सूचना देती है । मेरी निगाह में नेपाल सरकार का यह रवैया सनोषजनक नही है । यह उम्मीद की जा सकती है कि अगर दो मित्र देशों के रहने वाले लोगो के बारे मे कोई दुर्घटना होती है, तो उस को तुरन्त जाच कर के दूसरे दूतावास को तुरन्त सूचना दी जाये । मैं मंत्री महोदय से यह जानना चाहता हू कि क्या नेपाल सरकार का यह आचरण सही था; यदि नही, तो क्या वह नेपाल सरकार का ध्यान इस ओर आकर्षित करेंगे ।

दूसरा प्रश्न यह उठता है कि नेपाल में हमारे दूतावास में शायद लन्दन मे हमारे दूतावास के बाद बहुत बड़ा अमला रहता है । वहा इतना बड़ा अमला होने के बावजूद, और इस बात के बावजूद कि विदेश मत्रालय ने उस को सूचित किया कि वह इस बारे में तथ्य प्राप्त करे, हमारे दूतावास ने अपनी ओर से कोई जानकारी प्राप्त नही की । क्या इस मे हमारे दूतावास की लापरवाही नही रही कि ससद में एक सवाल उठे, अखबारो में खबर आये और वह सोता रहे तथा मौके पर जा कर पूरे तथ्यों का पता न लगाये ? यह कोई ऐसी बड़ी बात नहीं थी, जिस की जानकारी दूतावास के लोग मौके पर जा कर प्राप्त नहीं कर सकते थे । और मेरे ख्याल में ऐसी कोई बन्दिश भी नहीं है कि वे मौके पर जा कर इस बारे में जानकारी प्राप्त नहीं कर सकते हैं । मैं यह भी जानना चाहता हूं कि हमारे दूतावास ने जो लापरवाही बरती है, क्या मंत्री महोदय उस को गम्भीर नहीं मानते हैं, यदि वह उस को गम्भीर मानते हैं, तो क्या वह इस बारे में कोई कदम उठायेंगे, कोई कार्यवाही करेंगे ।

हिन्दुस्तान के लोग हर साल दीपावली के बाद इस पुल पर से जाते हैं । आखिर यह पुल गिरा तो सही और उस की वजह से कुछ लोगो को चोटें भी आई । मैं मंत्री महोदय से यह जानना चाहता हू कि क्या वह नेपाल सरकार का ध्यान इस ओर दिलायेंगे कि वह ऐसी अहमियत वाले पुल की व्यवस्था को ठीक रखे, किस पर से हजारों यात्री ऐसे मौके पर हर रोज जाते हैं, क्योंकि यह दोनो देशो के पारस्परिक सम्बन्धो का सवाल है, और यह पुल दोनो देशो के बीच का पुल है ।

SHRI BIPINPAL DAS: Sir, the place where the accident took place was quite far away from the capital of Nepal. It was also far away from the capital of UP. The time taken by the Nepal Government to furnish information to our Embassy was almost the same as the time taken by our own people to furnish information to our authorities, because it is a way-side place, far away from the capital. Naturally, it took some time. Therefore, I do not think any criticism should be made on this account of the Nepal Government's response to our enquiry.

The second point asked by Shri Sharma is that we have a big Embassy in Kathmandu, that they are careless or indifferent and not very active. It is not true. As I said, the incident took place in a far away place. Certainly, our Embassy people took time to get information. They took the

help of the Nepalese Government who ultimately gave the information.

Thirdly, he asked the question whether we should draw the attention of the Nepal Government to the fact that such bridges should be kept in order. Certainly, we have drawn the attention of the Nepal Government to that.

MR. DEPUTY-SPEAKER: How long does it take to travel from Kathmandu to this place?

SHRI BIPINPAL DAS: I cannot tell you exactly. But it is quite far away.

SHRI SURENDRA MOHANTY (Kendrapara): Mr. Deputy-Speaker, Sir, more tragic than the collapse of the Mahakali bridge is the very casual and the insensible manner in which the Government has been tackling this particular matter since 28th November last. In the Rajya Sabha....

MR. DEPUTY-SPEAKER: Please don't refer to the Rajya Sabha.

SHRI SURENDRA MOHANTY: I am referring to the extent to which the Rajya Sabha has been referred.

MR. DEPUTY-SPEAKER: Two wrongs cannot make one right. I have already said that it is unfortunate that a reference has been made to the Rajya Sabha proceedings here. Please don't do that.

SHRI SURENDRA MOHANTY: In the other place, it has been handled by the Minister of Shipping and Transport....

MR. DEPUTY-SPEAKER: Again, you are referring to the proceedings there. It is not desirable. Please don't do that. I am concerned with this House. I am not concerned with what the Rajya Sabha does.

SHRI SURENDRA MOHANTY: Sir, I rise on a point of order.

This matter was handled by the Minister of Shipping and Transport in the other place....

MR. DEPUTY-SPEAKER: I rule out that point of order because a point of order on what happens in the Rajya Sabha cannot be raised in this House. I do not admit that. The Rajya Sabha can do whatever it likes. We can do whatever we like.

SHRI SURENDRA MOHANTY: Then, the Minister's statement must be expunged.

MR. DEPUTY-SPEAKER: I have already said that it is unfortunate.

SHRI SURENDRA MOHANTY: It must be expunged.

MR DEPUTY-SPEAKER: There is no need to expunge it.

SHRI S. M. BANERJEE (Kanpur): It should not go to the press.

MR. DEPUTY-SPEAKER: The rules of expunction are different. This has gone on record. There is nothing unparliamentary. But I have already said that it is unfortunate. No further reference should be made to it.

SHRI DINEN BHATTACHARYYA: (Serampore): That is the decorum.

MR. DEPUTY-SPEAKER: That is the rule.

SHRI SURENDRA MOHANTY: Already, it has been claimed by a responsible spokesman of the Government that the bridge did not fall on any national highway system of the country. Therefore, the obvious inference is that it was on the border roads system. In the first place, I would like to know wherefrom the External Affairs Ministry pops in how the border roads system relates to the External Affairs Ministry and what *locus standi* the Deputy Minister in the Ministry of External Affairs has

in this particular matter. Therefore, I make bold to say that in a very casual manner, the Government has been handling it. This is the most serious matter.

Palpably, the statement seems to be unreliable. If you go through the statement, you will find that the bridge collapsed under the impact of 11 persons among whom there were 2 children—one woman, two children and 8 other persons have sustained minor injuries, according to the statement. If you add up, you will find that 11 persons were on the bridge at the time the collapse occurred. I would like the hon. Minister and the House to consider whether the bridge could collapse under the impact of only 11 persons out of whom two are children. Therefore, the original figure which had been published by the Nepalese press, which had also been published in the Indian press, that more than 140 lives had been lost is a figure which cannot be white-washed away.

The Government, at another place, earlier, had taken the plea that maintenance of the bridge was the responsibility of the Nepalese Government, with the obvious insinuation that, due to lack of proper maintenance, the bridge had collapsed in which the Government of India had nothing to do. To counteract that insinuation, the statement of the hon. Minister says:

> "The Government of U.P. despatched the Commissioner, Kumaon, to the site of the accident. After his visit, he has reported that there was no death on our side."

Obviously, the bridge had collapsed in the middle. In that event, how could death take place on this side or on that side—on the Indian side or on the Nepalese side? Whichever side the bridge collapsed, the deaths would have occurred on the bridge. Therefore, what sort of answer is the hon. Minister giving to the House?

The Nepalese Home Ministry spokesman, as late as 18th November, 1974, had claimed that the bridge had collapsed from the Indian side, to which I find no contradiction even in the statement. In the circumstances, to resolve this dilemma, I would ask as to what is the agreement between the Government of India and Nepal as regards maintenance of the bridge. Who was responsible for maintaining this bridge? Who was responsible for maintaining it from the Indian side and who was responsible for maintaining it from the Nepalese side? Or, was it the overall responsibility devolving on a particular Government to maintain this bridge?

My next question is in which year the bridge was constructed and who was the contractor, whether the foundation had been laid according to approved specifications and the bridge had been constructed according to the approved design and whether the Government of India had ensured that the bridge had been constructed on this strategic road according to the specifications. Will the Government order an inquiry into it? Of course, it is like asking a dumb wall because the subject of border roads does not come under the Ministry of External Affairs In the fitness of things, the Defence Minister should have answered this call-attention notice. I do not know why the Defence Minister has played truant and the Deputy Minister of External Affairs has been placed here as a scapegoat as much as Mr. Tulmohan Ram is placed as a scapegoat before the House in the import licence scandal.

Finally, I would like to know whether the Government had collected detailed descriptions of the persons who lost their lives and whether compensation has been paid to the families of those who lost their lives in this unfortunate accident.

SHRI BIPINPAL DAS: The first point I would like to make clear is

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that the call-attention notice was addressed to this Ministry and the Speaker, in his wisdom, accepted the call-attention. Therefore, this Ministry has felt called upon to answer the call-attention.

I do not agree with the hon. Member that the Government has handled this situation in an insensible manner; I do not agree with him at all.

The Border Roads Organization does not come into the picture. This bridge does not fall on any national highway. So, they do not come in the picture. It is a small bridge constructed by the Darchula District Panchayat of Nepal. Naturally, therefore, the maintenance of this bridge was their responsibility.

The hon. Member calculated and said that 11 persons died in the accident. But I have given the actual picture. The bridge is over the river Mahakali which is the border for both sides and naturally, half of the bridge is their responsibility and this side is ours. The rope this side became loose. It was a suspension bridge hanging over the river. When the bridge on our side started sinking down, the large number of people who were on the bridge jumped to the other side and as a result, one woman died as per the report from Nepal Government, and two children were missing. There were some who received minor injuries and eight persons who fell this side were given first aid. The figures I have given, of course, do not account for the total number of people who might have been on the bridge at that time. But the press reports that appeared earlier according to the information at our disposal and which we have received from the Commissioner of the Kumaon Division of UP and also from our Embassy in Nepal, were not correct.

As I said, the maintenance of the bridge is supposed to be the responsibility of the Nepalese because it was constructed by the Darchula District Panchayat. He has asked as to what was the agreement for the maintenance of the Bridge. There is no agreement between India and Nepal so far as the maintenance of the bridge is concerned. It is a bridge constructed by them and maintained by them.

Then the hon. Member asked what is the approved sanction and what is the approved specification. This question does not arise because we do not take the responsibility for the construction of the bridge.

The last question is about the detailed investigation. The Government of UP has asked for a thorough inquiry to be made into this incident and when the results of the inquiry come, we will know. The road connecting this bridge is not the central responsibility. It is the responsibility of the UP Government. Therefore, the UP Government has taken upon itself the task of investigating into the accident.

Regarding the compensation, since nobody has died on our side, no question of compensation arises.

MR. DEPUTY-SPEAKER: Since this bridge is within the Nepalese territory, how can the UP Government conduct the inquiry?

SHRI BIPINPAL DAS: Since the bridge is over the river Mahakali which divides India and Nepal, half the bridge is on our side and half the bridge is on the other side. Since it became loose on our side and the bridge started sinking on our side, therefore, some amount of investigation is still necessary. Therefore, the UP Government has asked for an investigation.

MR. DEPUTY-SPEAKER: There is a lot of confusion. Some members have sent notice to the External Affairs Ministry. Some have sent to

the Irrigation and Agriculture Ministry. Some have sent notice to the Works and Housing Ministry and some have sent to the Transport and Shipping Ministry. I myself am confused. It seems that part of a bridge is in our territory. He has also said that the bridge is constructed by Nepal and Nepal is responsible for it, so on and so forth. I do not know how the UP Government can inquire into the maintenance of the bridge and the specifications of the bridge and all that...

SHRI BIPINPAL DAS: I did not mean that. I meant about the incident.

MR. DEPUTY-SPEAKER: We are concerned only about the 8 persons who were injured on our side. I do not know. There is confusion.

SHRI P. M. MEHTA (Bhavnagar): Thank God that the news were found exaggerated and there is no casualty on our side but there are some casulaties on the side of Nepal...

MR. DEPUTY-SPEAKER: Why thank for that? We should sympathise with our friends in Nepal.

15.00 hrs.

SHRI P. M. MEHTA: Yes, we extend our sympathies to our friends in Nepal. I would ask, when the direct message was received by Ministry of External Affairs for the Government of UP, when they received information from Government of Nepal, and why on receipt of information the External Affairs Minister has not come forward with a statement. Does he take this so lightly that it was not worth informing the House? The report says:

'It is reported that there was heavy traffic on the bridge on that day because of the traditional joula jeevi fair held after Diwali in Darchula district of the Nepalese kingdom which is attended by people on both sides of the border. It is also mentioned that the bridge gave way when pillars on the Indian side collapsed as the bridge could not obviously bear the weight of about 150 persons.'

What are the facts? I want to know whether the pillars on the Indian side gave way and the bridge collapsed or is it from Nepalese side? Why is there no arrangement to control traffic from Indian side, so that there will not be over-weight and was there not any caution sign or signal in this regard so that people could take care for themselves and may not go there? That is number one. Here it is said: 'The responsibility lies with the Nepal Government'. Does it mean that the Government of India has nothing to do with the maintenance of the bridge? Was there not proper checks and surveys to see that such bridges are maintained properly to see whether they have to be replaced or repaired and is there no such inspection on the side of the Indian territory? Is it a fact that this bridge is a new type of bridge, constructed very quickly and not properly supervised also, no attention being paid by the Government of India and so this accident took place? Is it correct or not, I want to know. These are my questions.

SHRI BIPINPAL DAS: There is no question of any statement being issued by the Minister of External Affairs. We got the information from our Embassy only yesterday.

SHRI P. M. MEHTA: When railway accident takes place the Minister for Railways comes and informs the House. That is the convention which we are observing. How can he say like that,—there is no question of statement?

SHRI BIPINPAL DAS: We were waiting for information from Lucknow and Kathmandu. We got the information from Kathmandu only yesterday and we are making this statement today. Here the question is one of rope becoming loose and

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therefore one side sank and this accident took place. It is true there is no traffic regulation. Such types of bridges are there at many places and these have been used by people for long time; people go from outside to their side and *vice-versa*. Till date no such accident took place. Had there been no loose rope on our side this accident would not have taken place.

It is quite true there is no arrangement for control of traffic over the bridge. So far as the responsibility is concerned, this bridge was constructed by the Nepal authorities and they have maintained it and there was no question of our taking over the responsibility of maintaining this bridge.

डा० लक्ष्मीनारायण पांडेय (मंदसौर): उपाध्यक्ष महोदय, यह अत्यन्त ही दुखद घटना है चाहे इस में भले ही नेपाल के आदमी क्यों न मरे हों। सरकार की अक्षमता के कारण हमें जो समय पर सूचना प्राप्त होनी चाहिये थी वह नहीं प्राप्त हो सकी। जैसा समाचार-पत्रों में प्रकाशित हुआ है यह 28 नवम्बर के अखबार पैट्रियट में निकला है :

"U.P. probe into bridge collapse."

मैं जानना चाहता हू इसके बारे में किन अधिकारियों को नियुक्त किया गया है और उन की रिपोर्ट आप के पास आयी है कि नहीं ? आपने बताया कि केवल एक अधिकारी मौके पर गया है और उस ने घटना स्थल का निरीक्षण किया जिस के आधार पर आप ने वक्तव्य दिया। मैं जानना चाहता हूं कि क्या नेपाल में जो हमारा दूतावास है वहां का कोई अधिकारी उस स्थान पर गया था जहा यह घटना घटी है ? और यदि नहीं गया तो उस ने अपने कर्त्तव्य का निर्वहन नहीं किया है।

समाचार-पत्रों में यह भी निकला है कि पुल की भार वहन क्षमता केवल 150 व्यक्तियों की थी और उस पुल पर प्रति दिन काफी संख्या में लोग जाते हैं। उस दिन जब कि भारी संख्या में लोग जाने वाले थे उस्तव के कारण तो ऐसे समय क्या हमारा कर्त्तव्य नहीं था कि हमारी सीमा में बैठे हुए अधिकारी इतने लोगों को एक साथ पुल पर जाने से रोकते ?

ऐसे पुलों के सम्बन्ध में जिन पर कि भारतीय और नेपाली दोनों ही देशों के लोग आते जाते हैं, क्या हम संयुक्त उत्तरदायित्व की बात नहीं कर सकते ? इस का उत्तरदायित्व क्या हम केवल नेपाल पर ही छोड देंगे ? जब कि इस नदी का आधा हिस्सा हमारी सीमा में पडता है, और हमारी साइड के पिलर्स के खराब होने के कारण ही यह दुर्घटना हुई है। अखबारों में 142 लोगों के मरने की बात कही गई है, जब कि आप ने अपने वक्तव्य में केवल एक आरत और दो बच्चों के गायब होने की बात कही है। तो मैं जानना चाहता हू कि शेष व्यक्ति जो पुल पर थे क्या वह सब के सब सही सलामत पुल पर से निकल गये ? आखिर वस्तु स्थिति क्या है ? और इस पुल के सम्बन्ध मे क्या हम संयुक्त उत्तरदायित्व की बात नहीं कर सकते ताकि भविष्य में ऐसी दुर्घटना न हो सके? आखीर में यू० पी० सरकार जो प्रोब कराने वाली है उस की रिपोर्ट कब तक आ जायगी और क्या उस को आप सदन की मेज पर रखेंगे ?

SHRI BIPINPAL DAS: Sir, I must make it clear that I am not holding Nepal Government responsible for the accident. Accident is afterall an accident. What I said was the Nepal Government was responsible for the maintenance of the bridge because it is they who have constructed the bridge. I cannot hold either the Nepal Government or our Government responsible for the accident. There is no question of holding any Government responsible for the accident.

As regards the exact number, I have already told the House that as far as our information goes only one woman has died, two children are missing and eight persons were injured and given first-aid.

डा० लक्ष्मीनारायण पांडेय : हमारी तरफ की सीमा में जो पुल के पिल्लर थे उन में खराबी होने के कारण यह दुर्घटना हुई।

SHRI BIPINPAL DAS: I do not know whether the hon. Member has seen any suspension bridge. If he had seen, perhaps, he would not have asked this question. Now he has asked one question. That is about the augmenting of the capacity of the bridge. Since the accident took place, we had been in touch with the Nepal Government to see that the capacity of the bridge is strengthened.

श्री भगतराम मनहर (जजगीर) मैं मंत्री महोदय से जानना चाहता हू कि ऐसी दो देशो की सीमाओ मे बहने वाली नदियों पर बने पुलो के सम्बन्ध मे उन के रखरखाव का क्या प्राविधान है ? दूसरे यह कि महाबाली नदी पर बने हुए इस पुल की कब मरम्मत हुई थी ? क्या यह भी पता लगाया गया कि इस दुर्घटना के पीछे किसी विदेशी या शरारती तत्वो का तो हाथ नही है क्यो कि आज कल सिक्किम के प्रश्न को ले कर हमारे और नेपाल के बीच अच्छे सम्बन्ध नही है।

और अन्तिम बात मैं यह जानना चाहता हू कि दुर्घटनाग्रस्त भारतीयो की चिकित्सा आदि के बारे मे शासन ने क्या व्यवस्था की है ?

SHRI BIPINPAL DAS: About maintenance of the bridge or bridges of this type, I have already explained. Now the question is that because the accident took place, certainly both the Governments will see to it that it does not take place again. He has made a remark about the trained relations between India and Nepal. Our relations with them are fairly good. Certainly our relation with Nepal has nothing to do with this accident.

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15 12 hrs.

STATEMENT RE: ONGC's OFF-SHORE DRILLING PLATFORM, SAGAR SAMRAT

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI K D. MALAVIYA): Mr. Deputy-Speaker, Sir, I visited the Sagar Samrat on the 27th of November, 1974, and I consider it my duty to report to Parliament the good work that is being done in the Bombay High of shore operations.

As the Hon'ble Members are aware, the first well drilled by Sagar Samrat in February this year in the Bombay High structure, led to a discovery of oil which was described as "significant" at that time The second well was spudded on 7th October and drilled to the main horizon. The preliminary tests confirmed the results obtained from the first well. The conventional production test was carried out from the 18th to the 23rd of November and it showed a good flow of oil Oil has been found in the limestone layers of the Bombay High Structure. It is a new feature of oil exploration in India that oil has been found for the first time in limestone. We have so far got oil in India in sand stone layers only in the onshore areas The limestone pay zones have been prolific producers of oil in the Middle East. It was therefore decided to carry out an acidization test since acidization is one of the established techniques for well-stimulation in limestone reservoirs. The acidization tests were commenced on 25th November and were continued till the 30th The tests confirmed the earlier hypothesis that acidization would substantially

[Shri K D. Malaviya]

increase the productivity. Until some further wells are drilled, I would not like to hazard a guess about the potential of Bombay High, but I have no hesitation in saying it is our biggest discovery so far, and should lead us well towards self-sufficiency. The yield of oil from our offshore wells is several times more than that of our best onshore wells.

I feel confident that production from this well could be anything between 1500 barrels to 2500 barrels a day. Although the quantity cannot be specified just now because several more trials will be required for stablised testing, we do not wish to use up precious time on this occasion to finalise the conclusions regarding stablised testing Sagar Samrat is already jacked down and is immediately being moved to the next site.

But then the development of an offshore discovery and production from an offshore field are much more arduous, time-consuming and expensive as compared to similar operations onshore. To accelerate the tempo of exploration of the Bombay High Structure, Government have authorised the ONGCC to hire a drilling vessel to begin with, and simultaneously to acquire two more drillships, thus increasing its offshore drilling fleet to three. After the tests at the present well are completed, Sagar Samrat would be shifted about 15 kms. West of the present location—it has already moved. The proposed location lies on the extreme flank of the Bombay High Structure. The fourth well would be drilled at a locaton about 50 kms. south of the present well. The wells at these two locations would help delineate the structure and it is at that stage that a reasonably correct estimate of the production potential of the Bombay High Structure can be made.

During the monsoon of 1975, Sagar Samrat is proposed to be jacked up at a suitable location and operated through the monsoon period. That will give our ONGC experts and technicians, who are already doing a fine job, greater confidence and also enable them to acquire experience of monsoon working.

While the complete delineation of the Bombay High structure and the full development of the field may take some years, ONGC has been asked to examine the feasibility of setting up the first stage of production pending completion of full development. ONGC is looking into the different technical aspects of this proposition and it is likely that the first stage production could be established by mid-1976, or even a little earlier, so as to yield about one million tonnes of oil per annum.

Our offshore areas can no longer be called unproven. Right from the Kutch Basin to the Bengal Basin as well as in the offshore areas around the Andaman and Nicobar Islands, there are good prospects of petroleum reserves and I can visualise a situation in which our continental shelf areas vibrate with activity Time is of the essence and we have to discover oil reserves and develop production as quickly as possible. No effort should be considered too great for this. While we must develop our own capabilities for fabrication and erection of production platforms, construction of pipelines and other sub-sea structures, we will also go ahead fast by hiring the best available engineering and consultancy services world-wide. The ONGC would also need to be strengthened for its greatly enhanced responsibilities, and I shall very soon place before Parliament the steps that I propose to take for reorganising and restructuring the Oil and Natural Gas Commission.

MR. DEPUTY-SPEAKER: After some time, we get some good news. Let us hope things are as good as visualised.

15.19 hrs.

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

SEVENTEENTH REPORT

SHRI CHANDRIKA PRASAD (Ballia): I beg to move:

"That this House do agree with the Seventeenth Report of the Committee on Absence of Members from the Sittings of the House presented to the House on the 25th November, 1974".

The House will recall that on the 18th March 1974, when the hon. Speaker took the pleasure of the House to the grant of leave, certain objections were raised about the grounds on which leave had been recommended by the Committees in some cases and it was suggested that certain principles should be followed while granting leave of absence to members. The hon. Speaker also made certain observations and desired the Committee to lay down as to for what purposes members might remain absent from the sittings of the House. The Committee on absence of members from the sittings of the House considered the whole matter and have recommended in their Seventeenth Report the grounds on which leave could be granted to members and also recommended the grounds on which leave need not be granted to members. Copies of the report have already been circulated and all Members are aware of the grounds suggested by the committee. I need not take the time of the House by reading various grounds. I hope the House will approve these grounds.

MR DEPUTY-SPEAKER: Mr. Sequeira has given notice of an amendment. Is he moving it?

SHRI ERASMO DE SEQUEIRA (Marmagoa): Yes, Sir. I beg to move:

'That at the end of the Motion add,—

"subject to the modification that in paragraph 6 of the Report, for the words 'need NOT be granted', the words 'need not ordinarily be granted', be substituted."'

No one can possibly have a quarrel with the grounds that have been put forward in ordinary circumstances. But my submission is certain extraordinary circumstances arise very often. In my case, recently I had occasion to send to the Speaker a copy of the letter I had written to he Lt. Governor of Goa in which I drew his attention to the fact that he was not doing his job of maintaining law and order and in which I had alleged that with the full connivance of the local ministry, I was being denied the safety due to me as a citizen, on account of my being a Member of Parliament from the opposition party in Goa. I request the Minister of Parliamentary Affairs to ask the Home Ministry consider this point as to what is to be done when the Lt. Governor of a territory, who is supposed to be the Administrator of the Territory, becomes a mere rubber stamp, a non-performing relic and makes himself completely redundant. In the case of my Governor, I suggest sending him out to Siberia or somewhere else as Ambassador....

MR. DEPUTY-SPEAKER: Order, order.

SHRI ERASMO DE SEQUEIRA: I fully agree with the committee that in ordinary circumstances, those items which are mentioned in para 6 are all right. But let us not tie the hands of the committee and let them have the freedom to examine cases where there are extraordinary circumstances.

श्री रामावतार शास्त्री (पटना) : श्री तुलमोहन राम इतने दिनों से अनुपस्थित हैं। हाउस का समय बरबाद हो रहा है। मैं जानना चाहता हू कि इस समिति के पास

[श्री रामावतार शास्त्री]

उन्होंने अपनी अनुपस्थिति के लिए कोई दरखवास भेजी है या नहीं भेजी है और अगर नहीं भेजी है तो वह क्यों अभी तक उपस्थित नहीं हो रहे है, हाउस एटैंड क्यों नहीं कर रहे है ? यह तो उनको ही मालूम होगा कि क्यों व एटेंड नहीं कर रहे हैं लेकिन कमेटी के पास कोई दरखवास आई है या नहीं आई है ? इसके बारे में कुछ खबर लग जाए तो मामला तय हो सकता है और जो पर्दा गिरा हुआ है वह हट सकता है और यह उनके आने से हो सकता है । चन्द्रिका प्रसाद जी इसके बारे में कुछ बता सके तो बताए ।

MR DEPUTY-SPEAKER. In pursuance of the direction given by the House and by the Speaker, the Committee on the Absence of Members went into this question as to what should be the grounds when members can be granted leave. Now they have submitted a report to the House and Shri Chandrika Prasad has come forward with a motion that this report may be accepted There is a paragraph of the report which Mr Sequeira wants to modify by his amendment So that we may understand what we are discussing, I will read out to the House that small portion Para 6 says·

"The Committee further recommend that leave need NOT be granted on grounds like—

(i) Working in constituency other than those mentioned in paragraph 4 above

(ii) Professional or business engagements

(iii) Private affairs

(iv) Domestic trouble other than those mentioned in Paragraph 4 above"

Shri Sequeira wants to modify this by substituting the words "need NOT be granted" by the words "need not ordinarily be granted".

As far as Shri Tulmohan Ram is concerned, we do not know whether he attends the House or not because a Member can attend the House without coming to the chamber. He can come to the lobby, sign his name and go away. So, let us not go on the assumption whether he attends or does not attend the House when we do not know anything about it

I will now put the amendment of Shri Sequeira to the vote of the House The question is:

"That at the end of the Motion add,—

"subject to the 'modification that in paragraph 6 of the Report, for the words 'need NOT be granted', the words 'need not ordinarily be granted', be substituted"'

The motion was adopted

MR DEPUTY-SPEAKER I will now put the main motion as amended to the vote of the House

The question is

'That this House do agree with the Seventeenth Report of the Committee on Absence of Members from the Sittings of the House presented to the House on the 25th November, 1974, subject to the modification that in paragraph 6 of the Report, for the words 'need NOT be granted' the words 'need not ordinarily be granted', be substituted"

The motion was adopted

15.56 hrs.

STATUTORY RESOLUTION RE: DISAPPROVAL OF MAINTENANCE OF INTERNAL SECURITY (AMENDMENT) ORDINANCE AND MOTION RE. DISAPPROVAL OF PRESIDENTIAL ORDER SUSPENDING CITIZENS' RIGHT TO MOVE A COURT AGAINST DETENTION ORDERS UNDER MISA AND CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES BILL—*contd.*

MR. DEPUTY-SPEAKER: We will now take up the Statutory Resolution on the Maintenance of Internal Security (Amendment) Ordinance, the motion on the Presidential Order and the Conservation of Foreign Exchange and prevention of Smuggling Activities Bill. Shri Atal Bihari Vajpayee will continue his speech.

श्री अटल बिहारी वाजपेयी (ग्वालियर) उपाध्यक्ष महोदय, मेरी माग है कि सुप्रीम कोर्ट के एक जज की अध्यक्षता में एक उच्चाधिकार-सम्पन्न आयोग बनाया जाये, जो राजनैतिक नेताओ तथा सरकारी अफ़सरो के साथ तस्करो की साठ-गाठ की जाच करे।

आज प्रधान मत्री और उन की सरकार यह दावा कर रहे है कि तस्करो के विरुद्ध कार्यवाही कर के उन्होंने बडा साहसपूर्ण कदम उठाया है। लेकिन सच्चाई यह है कि आज तक इस सरकार ने तस्करो के अपराधो पर लीपा-पोती करने का काम किया है। 1970 से ले कर 1974 तक की ससद् की कार्यवाही इस बात की साक्षी है कि विरोधी दलों के सदस्यो ने राजनैतिक नेताओ क साथ तस्करो की साठ-गाठ का सवाल बार-बार उठाया, और हर बार सरकार की ओर से टाल-मटोल करने वाले जबाब दिये गये, राजनैतिक नेताओं के आचरणो की जांच नही की गई, तस्करो के साथ रियायते बरती गईं उन्हे पासपोर्ट दिये गये, उन्हे 'पी' फ़ार्म दिये गये, रिज़र्व बैंक से उन्हें विदेशी मुद्रा दी गई, और जो तस्कर गिरफ़्तार भी कर लिये जाते थे, वे जल्दी से जमानत पर छूट जाये, इस तरह का प्रबन्ध किया जाता था।

मेरे सामने 1 अप्रैल 1970 की लोक सभा की कार्यवाही की रिपोर्ट है। श्री जार्ज फ़रनेंडीज का एक प्रश्न था— मैं उस को पढ़ रहा हू —

> "क्या हाजी मस्तान मिर्ज़ा को 1966 में बम्बई के रिजनल पासपोर्ट अफ़सर ने पासपोर्ट देने से इन्कार किया था? क्या बाद मे उसे पासपोर्ट दिया गया ? किस की सिफ़ारिश पर ? क्या सरकार को पता है कि इस समय मस्तान तस्करी के जुर्म मे हिरासत मे है ? क्या सरकार उस का पासपोर्ट रद्द करेगी ?"

उत्तर देने वाले विदेश उपमत्री, श्री सुरेन्द्रपाल सिंह थे। उन का उत्तर इस प्रकार था :

> "1961 और 1963 में हाजी मस्तान मिर्ज़ा की पासपोर्ट की अर्जी नामजूर कर दी गई थी। उसे 7 नवम्बर, 1966 को पासपोर्ट एक साल के लिए दिया गया—गुजरात के गवर्नर ने उसे अच्छे चरित्र का प्रमाण पत्र दिया, उस के आधार पर। 23 सितम्बर, 1969 को नई दिल्ली के राजस्व खुफ़ियागिरी निदेशालय ने रपट दी थी कि मस्तान के घर से तस्करी का माल बम्बई कस्टम अधिकारियो ने 19 जुलाई, 1969 को बरामद किया है। उसे 20 जुलाई को गिरफ्तार कर बाद में जमानत पर छोड़ दिया गया।"

उस समय गुजरात के राज्यपाल श्री नित्यानन्द कानूनगो। उन्होंने पासपोर्ट की

सिफ़ारिश करते हुए जो प्रमाण पत्र दिया, वह इस प्रकार है :

"मैं श्री हाजी मस्तान मिर्जा को बम्बई के श्री अख़्तर सैयद के माध्यम से बहुत अच्छे चारित्रिक इतिहास वाले एक भारतीय नागरिक के रूप में जानता हूं। वह अपने रिश्तेदारों की देखभाल के लिए अदन जाना चाहते हैं। यह बहुत जरूरी है कि वह शीघ्र यात्रा करें, जिस के लिए आवश्यक कागजात उन्हें प्रदान किये जायें।"

जब यह मामला मेरे मित्र, श्री मधु लिमये ने 18 मार्च को उठाया, तो सरकार की ओर से कहा गया कि जांच हो रही है। बाद में श्री कानूनगो ने कहा कि मेरे दस्तख़त जाली बनाये गये हैं। तब सदन में यह मांग की गई कि अगर हाजी मस्तान मिर्जा ने जाली दस्तख़त बनाये हैं, तो उस पर जालसाजी का मुकदमा चलना चाहिए। लेकिन बम्बई के प्रैजीडेंसी मैजिस्ट्रेट ने फ़ैसला किया ...

श्री मधु लिमये (बांका): और हाई कोर्ट ने उस की ताईद की।

श्री अटल बिहारी वाजपेयी : ... कि वे दस्तख़त जाली नहीं थे, बल्कि वे श्री कानूनगो के सही दस्तख़त थे। एक कुख्यात तस्कर राजपाल से प्रमाणपत्र प्राप्त करने में कैसे सफल हो गया ?

इतना ही नहीं, हाजी मस्तान मिर्जा को विशेष कैटेगरी का टेलीफ़ोन दिया गया। यह मामला भी 2 अप्रैल 1970 को श्री जार्ज फ़रनेंडीज ने उठाया। मैं उन का प्रश्न पढ़ना चाहता हूं :

"क्या यह सच है कि हाजी मस्तान नाम के आदमी को, जो कि बैतुल सरूर, 61/1, वार्डन रोड, बम्बई-26 में रहता है, एक सामाजिक कार्यकर्ता के रूप में "मुक्त श्रेणी (विशेष) में टेलीफ़ोन कनेक्शन (नं० 359358) दिया गया है ?

इस श्रेणी के लिए इस की सिफ़ारिश किन लोगों ने की थी ? क्या बम्बई टेलीफ़ोन विभाग ने हाजी मस्तान की समाज सेवा के बारे में पूछ ताछ की ? क्या यह सच है कि पहले एक बार उसे 'मुक्त श्रेणी' में फ़ोन देने से इन्कार किया गया था ?

बम्बई टेलीफोन विभाग ने अपना फैसला क्यों बदला ?" उत्तर दिया उस समय के सूचना और प्रसारण राज्य मंत्री श्री शेर सिंह, ने जो इस प्रकार है :

"हां सिफारिश इन लोगों ने की थी :

1. आदम आदिल एम० एल० ए०।

2. वी० एम० याज्ञिक शराबबन्दी मंत्री, महाराष्ट्र सरकार।

3. भगवानदास के० अशार अध्यक्ष बी-वार्ड जिला कांग्रेस कमेटी।

4. टी० पी० करीमशा, उपाध्यक्ष, महाराष्ट्र मजदूर सभा, बम्बई।

5. एम० ए० खटाल, म्यूनिसिपल कौंसिलर। . . ."

बड़ी बड़ी विभूतियां इस में शामिल हैं। जब इस मामले पर सदन में चर्चा हो रही थी 3 . . (व्यवधान) . . . . तो कांग्रेस की तरफ से श्री नोतिराज सिंह चौधरी ने एक

बात पूछा था। वह अभी तक मन्त्रिमंडल में थे, अब नहीं हैं। उन्होंने एक प्रश्न यह पूछा था कि

"क्या सरकार जानती है कि तस्करी को ये अफसर बढ़ावा देते हैं जिनका काम इसे रोकना है?"

उन्होंने आगे कहा—

"बी०ओ०ए०सी० के गोल्ड केस में मूल रपट हमारे एक अफसर ने बदल दी और लगभग एक चौथाई रपट फिर से लिख दी। मैं यह रपट पटेल पर रखना चाहता हूं। यह 32 पेज की रपट है।"

अध्यक्ष ने उस समय कहा कि इसे पटेल पर रखना जरूरी नहीं है सवाल पूछिए। तो उन्होंने फिर पूछा—

"मैं जानना चाहता हूं कि क्या रेवेन्यू इंटेलिजेंस के डायरेक्टरों ने 30 नवम्बर 1967 की अपनी मूल रपट और एक छोटी रपट बदल दी थी और एक-चौथाई रपट फिर से लिख दी थी?"

इसका कोई जवाब नहीं मिला।

एक माननीय सदस्य कौन से अखबार में पढ़ रहे हैं आप?

श्री अटल बिहारी वाजपेयी : यह अखबार वही है जिसकी बहुत चर्चा यहां हो चुकी है—प्रतिपक्ष। मगर केवल अखबार पर मैं निर्भर नहीं करता हूं। आप चाहें तो सदन की कार्यवाही से मैं पढ़ कर सुना सकता हूं।

अगर राजनैतिक नेता तस्करों को संरक्षण देते रहेंगे, तस्कर उनके साथ मैत्री का दावा करते रहेंगे, अगर राजनैतिक नेताओं के चुनाव में तस्कर काम करते रहेंगे और उनसे सच्चरित्रता का प्रमाण पत्र प्राप्त करते रहेंगे तो तस्करों के खिलाफ कभी कठोर कार्यवाही नहीं हो सकती है।

एक तस्कर हैं श्री कृष्णा बुधा गावडे, वह 67 वर्ष के तस्कर हैं। वह अभी पकड़े गये हैं। बम्बई के तस्कर हैं। उन्होंने हाईकोर्ट में अपनी नजरबन्दी के खिलाफ एक रेप्रेजेन्टेशन दी है और उस रेप्रेजेन्टेशन के साथ एक सर्टिफिकेट दिया है। वह सर्टिफिकेट दिया है श्री एच० आर० गोखले का। वह सर्टिफिकेट इस प्रकार है

"It gives me a great pleasure to say that Shri K. B. Gowde worked for me during the mid-term poll. He is a hard-working and a loyal worker. He proved to be of assistance in the last election. I wish him well."

SHRI MADHU LIMAYE Did the Indira wave consist of such people?

श्री अटल बिहारी वाजपेयी: यह 1971 के मध्यावधि चुनाव की बात है। चुनाव के तुरन्त बाद यह सर्टिफिकेट दिया गया है। उस समय भी वह तस्करी में फंसे थे। दो वर्ष पूर्व कृष्णा गावडे को कस्टम वालों ने नौका में तस्करी का माल उतारते हुए पकड़ने का प्रयास किया था। उसके सेवकों ने कस्टम वालों को मारपीट करके भगा दिया और वे दो लारी सामान लेकर भागने में सफल हुए। गावडे पर हत्या का आरोप लगाया गया था लेकिन वह साबित नहीं हो सका। पुलिस ने उसे साबित करने की कोशिश नहीं की। गावडे छूट गया और विधि मंत्री के चुनाव में एक सक्रिय कार्यकर्ता के रूप में प्रकट हो गया।

प्रश्न यह है कि तस्कर करोड़ों रुपये की सम्पत्ति एकत्र करने में कैसे सफल हुए? आप उनके महल देखिये, उनकी गाड़ियों की संख्या देखिये, भोग और विलास से भरा हुआ उनका जीवन देखिये, उनके स्वामित्व में चलने वाले सिनेमा घर देखिये,

एक माननीय सदस्य स्विमिंग पूल देखिये।

श्री अटल बिहारी वाजपेयी : और उसके नीचे लगा हुआ काच देखिये जिसके नीचे एक कमरा बना हुआ है।

श्री मधु लिमये उसके नीचे मत जाइये।

श्री अटल बिहारी वाजपेयी : मैं नहीं जाता। लिमये जी जा सकते हैं। मेरे लिये मना है।

क्या इनकम टैक्स वालों का यह काम नहीं कि पूछे कि इतनी सम्पत्ति कहां से आई? राजू नारंग ने एक एम्बेसेडर होटल 76 लाख में खरीदा। क्या उससे पूछा गया कि यह धन कहां से आया? उसने बड़ी चालाकी से खरीदा, एस्टेट ड्यूटी नहीं दी और सुलतान अरदर्ज का कंट्रोलिंग इंटरेस्ट खरीद लिया। 7 लाख रुपये की स्टैम्प ड्यूटी बचाने में नारंग सफल हो गया। आय कर, सम्पत्ति कर, एस्टेट ड्यूटी कुछ नहीं दी लेकिन क्या इनकम टैक्स वाले यह नहीं पूछ सकते थे कि यह दौलत कहां से आई?

अब कल केरल के जिस तस्कर का नाम लिया गया वह बड़ा दान दाता है, जिसने मस्जिदें बनाई हैं, कासर गोड के पास एक बड़ी मस्जिद उसने खड़ी की है, उस मजिस्द में एक टावर लगा है। वहां नमाज पढने कोई नहीं जाता। वह टावर लगाया है समुद्र में आने वाली नौकाओं को देखने के लिए। भारत सरकार ने स्मगलिंग पर एक डाकूमेंट्री बनाई है। उस डाकूमेंट्री में वह मस्जिद आ गई तो केरल में हंगामा खड़ा कर दिया गया। (व्यवधान)

एक माननीय सदस्य मन्दिर के लिए नहीं दिया?

श्री अटल बिहारी वाजपेयी मन्दिर के लिए भी दिया होगा। लेकिन वह मन्दिर अगर डाकूमेंट्री में आ जाय तो हमें कोई आपत्ति नहीं होगी। मगर केरल की सरकार ने क्या किया? भारत सरकार के फिल्म डिवीजन द्वारा बनाई गई डाकूमेंट्री का प्रदर्शन रोक दिया। तस्कर न केवल केरल की सरकार को चला रहे हैं, भारत सरकार को भी अपने हाथ में नचा रहे हैं।

आयकर विभाग का ही सवाल नहीं है, कस्टम के अधिकारी भी इसमें शामिल हैं। मैंने कल कहा था कि मंगलौर से लेकर कैनेनोर तक मैं गया। पश्चिमी समुद्र का सारा किनारा अरक्षित पड़ा है। क्या सेंट्रल रिजर्व पुलिस नहीं लगाई जा सकती? क्या बोर्डर सेक्योरिटी फोर्स इन तस्करों के जाल को तोड़ने के काम में नहीं लगाई जा सकती? मैं तो समझता हूं कि आवश्यकता पड़े तो माल ले कर विदेश से जो नौकाएं आती हैं और हमारे देश की अर्थ-व्यवस्था को छिन्न विच्छिन्न करती हैं उन नौकाओं को समुद्र में डुबाने के लिए जल-सेना का भी उपयोग किया जा सकता है। मगर बोर्डर सेक्योरिटी फोर्स बिहार में काम आ सकती है, सेंट्रल रिजर्व पुलिस निरपराध लोगों को गोली का निशाना बनाने के लिए प्रयुक्त की जा सकती है, तस्करों से लड़ने के लिए उसका उपयोग नहीं किया जा सकता।

अभी मिसा के अन्तर्गत तस्कर पकड़े जा रहे हैं, कुछ छूट रहे हैं। इसलिए राष्ट्रपति का आदेश जारी कर दिया गया। हाई कोर्ट किसी तस्कर को तब छोड़ता है जब "डिटेंशन' के "ग्राउन्ड" या तो "वेग" होते हैं या "इन्डेफिनिट" होते हैं। डिटेंशन के ग्राउन्ड्स वेग और इन्डेफिनिट रखने के लिए दोषी कौन हैं? अफसरों की तस्करों के साथ साठ-गांठ है। जानबूझ कर डिटेंशन के ग्राउन्ड्स में कमी रखी जाती है। फिर तो अदालत अपना काम करेगी। अगर ग्राउन्ड्स वेग है, अनिश्चित हैं तो अदालत संविधान के अन्तर्गत उन्हें रिहा करेगी। उसे रोकने का तरीका राष्ट्रपति का

आदेश जारी करना नहीं है। जो डिटेंशन में लेते है उनके खिलाफ क्या कार्रवाई की गई ? किसी अफसर से पूछा गया कि ये ग्राउन्ड्स वेग क्यो थे ? आधार अनिश्चित क्यों थे ?

आज मिसा का क्या हाल हो गया है ? सुप्रीम कोर्ट में एक मामला आया बिहार के छात्र नेता श्री रामबहादुर राय का। डिस्ट्रिक्ट मैजिस्ट्रेट ने उन पर यह आरोप लगा दिया कि वह गुजरात जैसा आन्दोलन बिहार मे भी करना चाहते है। अब उनसे पूछा गया कि गुजरात जैसे आन्दोलन का क्या मतलब है ? उन्होने कहा कि यह तो कामन-सैन्स की बात है। तब फिर जस्टिस चन्द्रचूड ने कहा—कामन-सैन्स तो आज बडी अनकौमन हो गई है।

सुप्रीम कोर्ट ने एक व्यक्ति को इसलिये रिहा कर दिया कि उसके ऊपर आरोप लगा था कि उसने अपनी दीवार से एन्टी नक्सलाइट स्लोगन साफ कर दिये। क्या दीवार को साफ करना भी जुर्म है ? क्या इस से वह नक्सलपंथी साबित होता है ? लेकिन इस आधार पर उसको नजरबन्द किया गया और सुप्रीम कोर्ट ने उसको छोड दिया। जस्टिस ऐयर का कहना है—अगर इस तरह से इन असाधारण अधिकारो को कम मे लाया जायगा तो एक्जीक्यूटिव की सबूत पेश करने की क्षमता और भी कम होगी। मै जस्टिस ऐयर के निर्णय के एक अश को उद्धृत करना चाहता हू—

"The potential executive tendency to shy at courts for prosecution of ordinary offences and to rely generally on the easier strategy of subjective satisfaction is a danger to the democratic way of life."

श्री शमीम अहमद शमीम (श्रीनगर) यह रीएक्शनरी जज मालूम होता है।

श्री अटल बिहारी वाजपेयी ये वह जस्टिस है जो केरल मे मिनिस्टर थे। श्री कृष्ण ऐयर बडे प्रगतिवादी है।

श्री शमीम अहमद शमीम : बाद में हो गये होंगे, रीएक्शनरी होने देर नहीं लगती है।

श्री दीनेन भट्टाचार्य (सीरमपुर) : ये अन-कमिटेड जज है।

श्री अटल बिहारी वाजपेयी यह बात भी सदन का मालूम है कि अब हाजी मिर्जा मस्तान का मामला बम्बई मे एक मैजिस्ट्रेट के सामने गया था तो हाजी मिर्जा मस्तान के पक्ष मे जो वकील उसकी तरफ से पेश हुए थे—वे स्वर्गीय मोहन कुमार मगलम थे।

श्री शमीम अहमद शमीम वह वकील थे इस लिये गये। अगर आप वकील होते तो आप भी गये होते।

श्री अटल बिहारी वाजपेयी : अगर यह बात गलत होती तो मुझे खुशी होती।

SHRI DINEN BHATTACHARYYA. He is not right reactionary but wrong reactionary.

SHRI S A SHAMIM. The lawyers did take objection

SHRI K. P UNNIKRISHNAN (Badagara) What exactly are you trying to prove?

I am charging you of having taken money from smugglers. I will give you details

SHRI ATAL BIHARI VAJPAYEE: Come out with a proof.

SHRI K. P. UNNIKRISHNAN. Even in his professional capacity he has not appeared. That is a fact You are trying to play politics.

श्री एम० रामगोपाल रेड्डी (निज़ामाबाद) : अब्दुल्ला को मस्तान ने पस्त किया—क्या आपके पार्टी वालों ने इस किस्म का कोई इल्ज़ाम लगाया है ?

श्री अटल बिहारी वाजपेयी : उपाध्यक्ष महोदय, आज यह बात कही जा रही है कि जब हम मूलभूत अधिकारों की रक्षा की बात कहते हैं . . .

श्री राजा कुलकर्णी (बम्बई–उत्तर-पूर्व) : किसके मूलभूत अधिकार ?

श्री अटल बिहारी वाजपेयी : हर एक नागरिक के मूलभूत अधिकार। जब यह बात कही जाती है तो यह भी कहा जाता है कि तस्करों के खिलाफ़ सामान्य कानूनी कायवाही होनी चाहिए। अगर आवश्यक हो तो उस कानून को और मजबूत बनाया जा सकता है। लेकिन सरकार को इस तरह की ब्लांकट पावर्स नहीं दी जा सकती। आज इन पावर्स का दुरुपयोग हो रहा है। कोई भी जिला मैजिस्ट्रेट किसी भी व्यक्ति को संदेह में पकड़ सकता है, स्मग्लर बता कर हवालात में डाल सकता है।

अभी मथुरा का एक मामला मेरे पास आया है। एक व्यक्ति को पकड़ने के लिये कस्टम अधिकारी गये, 25 हजार रुपये मांगे। देने से इन्कार किया। इतने में गश्त लगाती हुई पुलिस वहां आ गई, तो कस्टम के अफसर कागज छोड़ कर भाग गये। वे सारे कागज मेरे पास हैं, इसमें इन्टैलीजेन्स की रिपोर्ट भी शामिल है, इसमें डिस्ट्रिक्ट मजिस्ट्रेट ने जो लिखा है, वह भी शामिल है। उत्तर प्रदेश के चीफ़ सक्रेटरी को जो चिट्ठी लिखी है, वह भी शामिल है और, उपाध्यक्ष महोदय, इसमें कहा गया है कि इस व्यक्ति पर शक है कि यह चोरी-छिपे आने वाले सोने का व्यापार करता है। मगर रिपोर्ट में यह भी लिखा है कि जब घर की तलाशी ली गई तो सोना नहीं मिला। मगर शक है। तो क्या शक पर आप पकड़ सकते हैं, शक पर हवालात में डाल सकते हैं, शक पर उसकी व्यक्तिगत स्वाधीनता को छीन सकते हैं ? क्या आपको सबूत नहीं चाहिए ? क्या अदालत के सामने दोषी प्रमाणित करना सरकार की जिम्मेदारी नहीं है ? जब हम यह बात कहते हैं तो कहा जाता है कि विरोधी दल वाले तस्करों को बचा रहे हैं। इसीलिये मुझे राजनीतिक सम्बन्धों की चर्चा करनी पड़ी और इसी लिये मैंने स्वर्गीय मोहन कुमार मंगलम का नाम लिया। अगर वह गलत है तो मुझे खुशी है।

आज जब हम मूलभूत अधिकारों के लिये लड़ते हैं तो हम पर आरोप लगाया जाता है कि हम तस्करों को बचाना चाहते हैं। मैं साफ़ तौर से कहना चाहता हूं—हम तस्करों के खिलाफ़ कड़ी कार्यवाही करने के पक्ष में हैं, लेकिन यह आदेश उस आवश्यकता की पूर्ति नहीं करता। इसलिये हम ने मांग की है कि एक उच्च अधिकार सम्पन्न आयोग बनाया जाये जो तस्करों का सम्बन्ध राजनीतिक नेताओं के साथ, तस्करों का सम्बन्ध नौकरशाही के साथ, ब्यूरोक्रेसी के साथ—इन सम्बन्धों की जांच करे और फिर यह तय करे कि किस तरह से तस्करों से निबटने के लिये प्रभावी कार्यवाही की जा सकती है।

मैं अध्यादेशों की बात करता हूं, राष्ट्रपति द्वारा जारी किये गये आदेशों के खिलाफ हूं और मैं चाहता हूं कि वित्त मंत्री महोदय अध्यादेशों को रद्द हो जाने दें, आदेश को वापस लें और एक कम्प्रीहैन्सिव बिल लेकर आयें जिसमें सभी आर्थिक अपराधों के खिलाफ़ कड़ी कार्यवाही का समावेश हो। अभी तक किसी तस्कर की सम्पत्ति जब्त नहीं की गई है। जो पकड़े गये, यरवादा जेल में गुलछर्रे उड़ा रहे हैं . . .

SHRI K. P. UNNIKRISHNAN: Will you agree for a change in the Constitution in respect of 'property'?

श्री अटल बिहारी वाजपेयी : संविधान को पहले ही पदिवर्तित कर चुके हैं, संसद् से अधिकार पहले ही ले चुके हैं कि संसद् सर्वोच्च है।

SHRI K. P. UNNIKRISHNAN: I am asking you.

SHRI ATAL BIHARI VAJPAYEE: You are asking me. I am not the Finance Minister. I am not the Prime Minister of this country. You have the majority.

उपाध्यक्ष महोदय, क्या यह मामला हमारी सहमति के लिये रुका हुआ है—क्या ये हर काम वही करते हैं जो हम पसन्द करते हैं। हम जिस काम के लिये "न", करते हैं, क्या ये उस काम को नहीं करते ? हम तो कह रहे हैं कि सी०बी०आई० की रिपोर्ट सभा पटल पर रख दें, क्या आप तैयार हैं ?

हम मांग कर रहे हैं कि कानून के अनुसार तस्करों की सम्पत्ति को जब्त करने का सरकार को अधिकार मिलना चाहिए और अगर सरकार इस तरह का अधिकार मांगने के लिये सदन में आयेगी तो हम उसका समर्थन करेंगे। लेकिन वित्त मंत्री महोदय कंसल्टेटिव कमेटी में बता चुके हैं कि इसके लिये संविधान बदलने की जरूरत नहीं है। लेकिन फिर भी ये किसी की सम्पत्ति नहीं लेंगे। उनसे सम्पत्ति ली जायगी—चुनाव लड़ने के लिये, वही मोदे हो रहे हैं—नजरबन्द तस्करों के साथ।

उपाध्यक्ष महोदय, जरा मैं पंजाब के बारे में भी बतला दूं। सरदार दरबारा सिंह जी ने अच्छी याद दिलाई। पंजाब के मुख्य मंत्री ने कहा है कि जो राजनीतिक नेता तस्करों में फंसे हुए हैं उनके बारे में मुझे मालूम है, मगर मैं बतलाऊंगा नहीं, क्योंकि यह पब्लिक इन्टरेस्ट में नहीं है। मगर चीफ मिनिस्टर उनके खिलाफ कार्यवाही नहीं कर रहे हैं। हम चाहते हैं कि कड़ी कार्यवाही हो और तस्करी की बात खुले। . . . .

श्री दरबारा सिंह (होशियारपुर) : उन्होंने यह कहा है कि कोई आदमी बतलाये कि कौन मिनिस्टर है जो तस्करी करते हैं। उन्होंने इस बात को चैलेन्ज किया है।

श्री अटल बिहारी वाजपेयी : दरबारा सिंह जी, तब तो आप भी बतला सकते हैं।

श्री दरबारा सिंह : आप को सब बातों का ज्यादा पता है।

श्री अटल बिहारी वाजपेयी : मेरा निवेदन है कि वित्त मंत्री महोदय एडहाक, कामचलाऊ, कदमों से तस्करी की गम्भीर समस्या को हल करने का नाटक न खेलें, असाधारण अधिकार हरदम नहीं रहेंगे। तस्करी का हमें निर्मूलन करना है। इसके लिये प्रभावी कार्यवाही होनी चाहिए। यह अध्यादेश इस उद्देश्य की पूर्ति नहीं करता।

MR. DEPUTY-SPEAKER: Resolution moved:

"This House disapproves of the Maintenance of Internal Security (Amendment) Ordinance, 1974 (Ordinance No. 11 of 1974) promulgated by the President on the 17th September, 1974."

Motion moved:

"That this House disapproves of the Presidential Order issued on the 16th November, 1974 under clause (1) of article 359 of the Constitution suspending citizens' right to move any court with respect to orders of detention under the Maintenance of Internal Security Act, 1971 for the enforcement of the rights conferred by article 14, article 21 and clauses (4), (5), (6) and (7) of article 22 and also suspending all proceedings pending in any court for the enforcement of the aforesaid rights with respect of orders of detention under the Maintenance of Internal Security Act."

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): Mr. Deputy-Speaker, Sir, I beg to move*:

> "That the Bill to provide for preventive detention in certain cases for the purposes of conservation and augmentation of foreign exchange and prevention of smuggling activities and for matters connected therewith, be taken into consideration."

15.57 hrs.

[DR. HENRY AUSTIN *in the Chair*]

Sir, as honourable Members are aware, the prevention of smuggling and the conservation of foreign exchange are of vital importance to a country like ours. In order to frustrate the activities of those anti-social elements which seek to take advantage of the country's situation in order to enrich themselves, Government have from time to time taken various legislative and administrative measures. In 1962, the Customs Act, in which the Customs law was comprehensively revised, was enacted. In 1969, legislative action was taken for regulating the possession and sale in vulnerable areas of articles smuggled on a large scale. Further measures were recommended by the Law Commission in its Report on "Trial and Punishment of Social and Economic Offences". Amendments to the Customs Act to give effect to the important recommendations of the Law Commission were effected in 1972. A number of the Law Commission's recommendations were also incorporated in the Foreign Exchange Regulation Act, 1973.

The administrative arrangements for dealing with smuggling and foreign exchange violations have also been progressively strengthened. The preventive formations in the Bombay and Madras Custom Houses and the Central Excise Collectorates at Ahmedabad, Bombay, Cochin and Madurai have been reorganised, and Preventive Collectors have been posted at Bombay, Ahmedabad and Patna. Additional manpower has been deployed for preventive work in sensitive areas. Action has been taken to set up a wireless communication net-work covering the West Coast and the Tamil Nadu coast. In order to strengthen patroling of and interception at sea, arrangements have been made for the purchase of 20 fast vessels from Norway. Two of these have already arrived and have been deployed at Bombay, with results which have proved encouraging.

We have, however, found that because of the vast coast line and long land frontiers of our country, the legislative and administrative measures so far taken to check smuggling have not proved adequate. Experience has shown that the persons who have master-minded the smuggling operations worked behind the scenes. It was usually only a landing agent or a carrier who, because of his overt activities, could be apprehended and subjected to action under the existing law, while the main organisers and financiers behind the scenes were able to continue their operations despite the increasing tempo of the seizures. In many cases, the Preventive and Intelligence agencies of were in possession of reports indicating the activities of these persons but for lack of evidence acceptable in a court of law they could not be brought within the mischief of the ordinary law. The Law Commission appreciated the seriousness of the problem and remarked that since the offences against the regulations of foreign exchange and Customs have an immense impact on the well being of the entire nation by virtue of their pernicious effect on vital national policies, Government should not be without power to detain preventively hardened offenders against these laws. After 1972, when the Law Commission made its recommendation, the activities of the master smugglers have been a matter for increasingly serious concern, and it was in this background that the Maintenance of Internal Secu-

*Moved with the recommendation with the president.

rity (Amendment) Ordinance, 1974 was promulgated on the 17th September, 1974. This Ordinance amended the Maintenance of Internal Security Act, 1971, to bring within the scope of that Act various categories of smugglers and offenders against foreign exchange regulations. A statement showing the reasons for legislation by Ordinance has already been placed before the honourable Members. There will perhaps be general agreement that the activities of smugglers and foreign exchange raketeers are anti-social and pernicious. It may be desirable from all points of view to enact a self-contained measure, as the present Bill seeks to do, dealing exclusively with them and to segragate their cases from those of persons detained under Maintenance of internal Security for political or other reasons.

16.00 hrs.

Shri Vajpayee has in a very elaborate speech placed before the House various facts with regard to smuggling. That itself is a justification for a measure of this sort, but unfortunately along with it he tried to bring in certain political matters also with political orientation. I am really sorry that a leader of his stature should take this occasion, particularly when we are dealing with smugglers, to import, if I may say so, political insinuations into this. As far as is possible, I shall certainly deal with them when I reply to the debate. Now I only move for consideration of the motion.

MR CHAIRMAN: Motion moved:

"That the Bill to prove for preventive detention in certain cases for the purposes of conservation and augmentation of foreign exchange and prevention of smuggling activities and for matters connected therewith, be taken into consideration."

SHRI NOORUL HUDA (Cachar): I rise to oppose this Bill. What are the objectives behind the introduction of this Bill as also the ordinance promulgated on 17 September 1974? As the hon. Minister has indicated, this Bill is purportedly for conservation of foreign exchange, prevention of smuggling activities etc. and Government wish to arm themselves with sufficient powers so that smuggling can be brought under the ambit of MISA. In Odinance No. 11 of 1974, it is also said that the person concerned will be detained without obtaining the opinion of the Advisory Board for a period longer than three months but not exceeding one year from the date of detention and Government can detain any person on suspicion that a person smuggles or is likely to smuggle goods or about smuggling or is likely to abet other persons to smuggle goods. Lastly under the latest notification dated 16 November, 1974, the President has taken away the right of these detained under this Ordinance to move any court, the right remaining suspended for six months from the date of the issue of the order or the date of expiration of the proclamation of emergency which ever is earlier.

It has been stated before and also today that this Bill and the Ordinance would enable Government to detain anyone on suspicion of smuggling or foreign exchange rule violation and not allow the detenue an opportunity to prove his innocence. As is well known to the House, our party is totally against smugglers, smuggling activities, violators of foreign exchange regulations and any other economic offenders. But the question is why MISA or some such laws which authorise detention without trial is necessary to contain smuggling or to punish other economic offenders

As you know, under MISA a person cannot be punished. It is a Preventive Detention Act. On a suspicion, which has been described in the Bill, a person can be detained upto the extent of 6 months. There is no question of punishment, Government have not come forward with any comprehensive Bill to enable the

[Shri Noorul Huda]

Government to punish economic offenddess like smugglers in an exemplary manner. There are various Acts in India today which can take care of smuggling and other such economic offences. There is, for instance, the Customs Act and rules and regulations under which the Government and the concerned authorities can confiscate the smuggled goods and impose a penalty five times the total value of the contraband and also prosecute any person charged with such offences. There is the foreign Exchange Regulation Act, 1947, as amended in 1953, under which the Government and the concerned authorities can impose a fine five times the amount involved and also prosecute the offenders. We understand that during the last 14 years, in no case has the penalty amounting to more than three times the foreign exchange involved was imposed, inspite of all those rules and regulations and extraordinary powers that the Government have in their armoury. This is the position after 27 years of one party rule in the Centre and in the States. The States of Maharashtra, Gujarat and Kerala are mainly involved as far as economic offences are concerned. These State Governments and also the Central Government have not been able to impose any exemplary punishment on the economic offenders up till now. There is another Act—the Income-tax Act—under which since 1963 Government can impose a penalty on defaulters to the extent of 200 per cent of the amount involved. We do not know whether such Acts, rules and regulations have been applied against these economic offenders and to what extent. I submit that the existing laws of the country against economic offenders are in many ways more stringent than those obtaining in U.K. and U.S.A. Naturally, it follows that if these laws were honestly implemented there would be no need to resort to monstrous measures such as DIR or MISA.

Recently Government have been perturbed because some of the smugglers have been released by the High Courts. Why have they been released? The High Courts have made it clear that there is nothing wrong in the Acts but the grounds of detention have been prepared in such a haphazard and careless manner that the courts had no alternative but to release these smugglers. The grounds of detention which have been furnished to the offenders were found to be ineffective and so they were released by the High Courts.

Now Government have come forward with a promise that this extraordinary measure would last only for six months and not more than that. They have also said that if they in their wisdom decide to withdraw the proclamation of emergency then this Act would immediately lapse. After the emergency was proclaimed in 1962, except for a few months, all these long 12 to 13 years this measure has found a place in our statute book.

When is an emergency proclaimed. It is done only when there is external danger to the country. Recently we have signed an agreement with Pakistan. As far as we know, the Government of India do not fear any aggressive designs by the Peoples' Republic of China. In fact, in certain foreign capitals we have been trying to have better relationship with the Peoples' Republic of China. So, when there is no danger from any of our neighbouring countries, what is the necessity for continuing this emergency for the last 12 to 13 years? Naturally, we cannot place any reliance on the promise made by the Government on the floor of this House times without number that the emergency would be lifted and that DIR and MISA would not be used against political opponents.

Coming to leakage of foreign exchange, I understand that an official committee headed by the Secretary of the Finance Ministry of the Government of India made a number of suggestions to plug loopholes According to official estimates, which are gross under-estimates, the leakage of foreign exchange is round about Rs 240 crores per year. Yet, we understand that not a single suggestion of this official committee has been implemented during the last three years.

Why do we oppose this measure? We oppose it because in the name of preventing smuggling operations, in the name of containing economic offences, we cannot allow the Government or the executive to arm itself with extraordinary and draconian powers, because, we have seen that the Preventive Detention Act, in some form or other, has been in the statute book for so many years, and we have seen how the MISA and the Preventive Detention Act have been used mainly against political opponents, specially against the Communist Party and other trade unionists who are working in the Kissan Sabha those who are associated with progressive democratic movements amongst the youth and the students They have been detained under the MISA for many years Even now according to the latest hand-book which I have got, from 1st July, 1973 upto 31st March, 1974 (during this period) for reasons of violent activities, *goondaism*, bad character, communal agitations, maintenance of public order spying, security of the State, etc, the figure is, 1899 detained under the MISA and for reasons of hoarding profiteering, blackmarketing, disruption of essential services, adulteration, smuggling, etc, the number is 1,148 Out of these, in West Bengal alone, the number is 2,156.

This also appears to me an underestimate because we knew for certain that in West Bengal alone, the Communist Party Marxist and other party activities have been detained and their number is not less than 3,000 to the best of our information These people have been languishing in jail for the last so many years The Congress rulers have played havoc with the personal liberties of the citizens of this country The Central Government and various State Governments have employed the MISA against railwaymen during the railway strike of May, 1974 and also against teachers, students, power engineers, trade unionists and other workers.

They have employed these extraordinary methods not only in West Bengal but also in Gujarat, Bihar, Assam and other places You will be surprised to learn that in May, 1974, when about 17 lakh railwaymen went on strike for about three weeks, so many railwaymen were detained under the MISA and the grounds of detention given against some of the railwaymen in Badarpur and Lumding whom I know personally were fantastic The grounds given were, "You have have participate in such and such a procession on such and such a date, you were engaged in trade union activities; you were engaged in other activities. So, you are detained under the MISA." Without any rhyme or reason they are detained for an indefinite period

Today, in the name of anti-smuggling operations, if the Government want to detain any political worker, any political activist, any trade unionist, they can give the lebel of "smuggler" to any person and detain him for at least six months. There is no power a earth to prevent the Government from doing that.

SHRI C SUBRAMANIAM: Has there been any instance of any political worker being detained under this Ordinance?

SHRI NOORUL HUDA I can give you hundreds of cases

SHRI C SUBRAMANIAM Do it now There is no use of saying that there are hundreds of cases You give the instances now itself

SHRI NOORUL HUDA The MISA is only of recent origin Suppose there is some agitation in Bihar or in U P or in Gujarat or in any other State The Government can empower the District Magistrate to detain any person under the MISA If you want to detain any political worker any political activist you can give the lebel of smuggler and detain him How can prevent it? There is no power on earth to prevent it We have seen what happened in Gujarat and Bihar in the last few months

SHRI P G MAVALANKAR (Ahmedabad) Prof Dandavate was externed from Bihar Shri Vajpayee was arrested in Bihar Where was the agitation? You arrest people even without agitation You arrest them because of the political differences that you have against your opponents

SHRI PRIYA RANJAN DAS MUNSI (Calcutta-South) 500 Congressmen were also arrested in West Bengal Persons from Congress were also arrested

SHRI C M STEPHEN (Muvathupuzha) Can you tell us which person belonging to your Party was arrested under this particular Act?

SHRI NOORUL HUDA Not under this recently

MR CHAIRMAN Please confine yourself to the Bill Do not bring in other matters

SHRI NOORUL HUDA On behalf of the Communist Party of India (Marxist) I would say that the Government may arm itself with any power which would enable them to contain smuggling and other economic offences, we would be at one with them But at the same time we cannot allow MISA to be brought in a new form, under the garb of anti-smuggling operations In future, in various parts of our country agitations might occur any day and we cannot allow the Government to arm itself with such draconian and extraordinary power to arrest any person and level against him the charge of indulging in smuggling activities and detain him for six months or more The only solution for the Government is to bring forward a comprehensive Bill to strengthen the existing laws I have mentioned three or four laws those laws can be strengthened and we would be at one with the Government on that We want to contain this menace of smuggling But our Party is totally opposed to the introduction of MISA in a new form; this is politically motivated and we will oppose it until this draconian power is withdrawn we shall fight tooth and nail until the Emergency is revoked and until these Acts are removed from the Statute Book

श्री नवल किशोर शर्मा (दौसा) सभापति महोदय मैं सरकार को मुबारिकबाद देना चाहता हूं कि उस ने यह विधेयक प्रस्तुत कर के एक ऐसा कदम उठाया, जिसको हमारी बिगडती हुई अर्थ-व्यवस्था को सुधारने की दिशा में एक सही कदम कहा जा सकता है। मैं यह बता कर सदन का ज्यादा वक्त खराब नहीं करूंगा कि स्मगलिंग से देश को कितनी हानि होती है और स्मगलिंग कितने तरीके से होता है, लेकिन मैं इतना जरूर कहना चाहूंगा कि स्मगलिंग के जरिए हमारे देश में वह आवश्यक सामान, और ऐयाशी का सामान आता है, जिस की हमें जरूरत नहीं है। और इस के बदले में हमारे देश से वह सामान जाता है जिस की हम को बहुत जरूरत

है जिस को हम प्रिजर्व करना चाहते हैं। कस्टम की चोरी तो होती ही है लेकिन देश के अंदर अर्जित होने वाली विदेशी मुद्रा जिस की हमें बहुत आवश्यकता है उस की बहुत कमी होती है इस स्मगलिंग के कारण। स्थिति आज यह हो गई थी कि देश में इन स्मगलर्स ने एक समानान्तर अर्थ-व्यवस्था कायम कर ली थी। कहने की जरूरत नहीं है कि इन के पास बड़े-बड़े होटल, बड़े-बड़े सिनेमा घर और एक नहीं अनेकों तरह के धंधे है। पैसे के आधार पर दुर्भाग्य से इन्होंने सामाजिक प्रतिष्ठा भी प्राप्त कर ली थी। यह दुर्भाग्य की बात है। लेकिन यह दोष असल में पूंजीवादी व्यवस्था का है जिसमें कि हम रहते हैं, उस में जिस के पास पैसा होता है उस को सामाजिक प्रतिष्ठा प्राप्त हो जाती है। इसी कारण इन लोगों को भी सामाजिक प्रतिष्ठा प्राप्त हो गई। मैंने इस सबध में विरोधी दल के दो नेताओं के भाषण सुने। उन भाषणों को सुनकर मुझे थोड़ी हैरानी हुई और मैं हैरत में रह गया कि क्या हमारे देश के यही विरोधी दल के लोग है जो कभी सरकार के हट जाने पर आल्टरनेटिव सरकार बनायेंगे जो कहते कुछ है और करते कुछ है? हम ने बहुत देखा है इन के कारण को और दुर्भाग्य से यही कारण है कि ये बेचारे निराश होते है, कहीं भी इस सदन में या और किसी जगह बहुमत नहीं प्राप्त कर सकते क्यों कि इन की कथनी और करनी में बहुत अन्तर है। कहते तो हैं कि हम स्मगलिंग का बहुत बड़ा विरोध करते है और हम इस ओर सरकार का ध्यान आकर्षित करते रहे है। लेकिन जब सरकार कदम उठती है स्मगलिंग को रोकने लिये तो उस में भी छिद्रावेषण करते है। उस की आलोचना करते हैं, कहते हैं कि आप को काम्प्रीहेंसिव ला लाना चाहिये। आप को एक ऐसा कानून बनाना चाहिये और उस कानून के अंतर्गत सजा देनी चाहिये। मुझे हैरत होता है कानून तो है; सजाएं भी हुई है। ऐसी बात नहीं है कि कानून नहीं है। सजा हुई है, 71 में भी कुछ लोगों को सजा हुई है, 72 में भी सजा हुई है, 73 में भी सजा हुई है और थोड़े लोगों को नहीं दो-दो तीन-तीन हजार लोगों को सजा हुई है लेकिन इसके बावजूद भी स्मगलिंग नहीं रुकी आंकड़ों के मुताबिक इस साल सम्भावना यह थी कि यदि स्मगलिंग के खिलाफ सरकार ने यह कदम न उठाया होता तो शायद चार सौ करोड़ रुपये का स्मगलिंग का व्यापार होता। ऐसी हालत में एक नकाब पहनकर यह कहना कि हम स्पॉट तो करते हैं लेकिन एक काम्प्रीहेंसिव ला होना चाहिये, यह अपने आप में एक मखोल की बात हो जाती है। मेरे मित्र हुना कह रहे थे कि कानून है और कानून के अन्तर्गत सजा देने का प्रावधान है, वह यह है कि माल जब्त कर लीजियेगा और पांच गुना पैनेल्टी लगा दीजियेगा... (व्यवधान) प्रोसीक्यूशन भी है। मैं जानता हूं। लेकिन दुर्भाग्य से जो कानून जिस तरह का इस मुल्क में है और जिस की आप वकालत करते है कि व्यक्तिगत स्वतंत्रता होनी चाहिये, उस व्यक्तिगत स्वतंत्रता के नाम पर कानून के सामने सब को समानता का अधिकार होना चाहिये, उस के आधार पर सुप्रीम कोर्ट हाई कोर्ट के जो फैसले हैं, वे इस तरह के हैं; और उन का आधार हमारे जूरिसप्रूडन्स का यह सिद्धान्त है कि भले ही निनयान्वे दोषी आदमी बरी हो जाये, लेकिन एक निर्दोष को सजा नहीं होनी चाहिये, इस जूरिसप्रूडेन्स के आधार पर बने हुए कानून के मुताबिक बिना ठोस प्रमाण के किसी व्यक्ति को सजा नहीं दी जा सकती और यही दुर्भाग्य था, यही वजह थी कि सरकार को अपने हाथ में ये विस्तृत अधिकार लेने की जरूरत आई। वरना कोई जरूरत नहीं थी कि ऐसे अधिकार सरकार लेती।

मैं भी आप के साथ होता, वाजपेयी जी के साथ होता—इसका विरोध करने में। यदि

[श्री नवल किशोर शर्मा]

सरकार के लिए इस तरह का कानून बनाने के लिये औचित्य नहीं होता। लेकिन मुश्किल यह है कि हमारे विरोधी दल के लोग हमेशा इस तरह की बातें करते हैं। राजनितिक पहलू हो सकता है, राजनितिक तरीके से सरकार को गिराने की कोशिश भी की जा सकती है, सरकार के खिलाफ बात करने की कोशिश भी हो सकती है, और वह आप करते भी हैं, सब लोगों का एक गठजोड हो गया है—जयप्रकाश जी के नेतृत्व में। जिन जय प्रकाश को जब वे भूदान की बात करते थे, तो उन के साथ लगने वाले सात आदमी भी नहीं थे और आज उन के साथ सारे विरोधी दल के नेता लग गये हैं, सब ने उन की—लोकनायक बना दिया है और ये हमारे नक्सिस्ट बंधु भी उन के साथ गठबंधन करने को तैयार हो गये हैं ..(व्यवधान)..मैं इस विषय पर ज्यादा जाना नहीं चाहता, मैं यह कहना चाहता हूं कि हमारे देश में विरोधी दल के लोग गरीब की बात करते हैं, चिल्लाते हैं और पुकार लगाते हैं, देश की अर्थ व्यवस्था खराब हो रही है, महगाई हो रही है लोग परेशान हैं और यह सरकार हाथ पर हाथ धरे बैठी है, लेकिन जब सरकार कदम उठाती है तो शाबासी तो देते नहीं, यह तो कहते नहीं कि आपने अच्छा काम किया है बल्कि यह कहते हैं कि इस का दुरूपयोग होगा राजनितिक तरीके से। अभी सुब्रह्मण्यम साहब ने आप से ठीक ही पूछा था कि क्या आप कोई उदाहरण बता सकते हैं कि जिस में मीसा के इस प्रावधान का दुरुपयोग किया गया हो राजनितिक उद्देश्य के लिये (व्यवधान)

मैं यह कह रहा था कि यह एक ऐसा कानून है जिस का देश के लोगों ने स्वागत किया है, आम जनता ने इसका स्वागत किया है, भले ही विरोधी दलों के लोग इस तरह की बात करें और यही वजह है कि ये सीधे नहीं कहते कि यह कानून खराब है। असल में स्मगलर्स के खिलाफ हम आलोचना करते हैं कि राजनितिक नेताओं के साथ उन की साठगांठ जरूर है और मुझ भी ऐसा लगता है कि राजनितिक नेताओं से साठगांठ है। बहुत आसानी से कह दिया कि कुमार मंगलम साहब ने हाजी मस्तान की पैरवी की—पैरवी कर ली तो क्या हो गया? यह एक वकील का पेशा है, मेरे मित्र चटर्जी साहब सामने बैठे हैं, वे भी वकालत करते हैं। और वकालत के धन्धे में एक मर्डरर आदमी भी उन के पास आता है, डकैत आता है उस की भी पैरवी करते हैं। अगर पैरवी नहीं करते हैं तो शायद आप को मालूम नहीं है—यह एक प्रोफेशनल मिसकान्डक्ट है। इस लिए कुमार मंगलम साहब ने कोई गलती नहीं की।

सीधे सादे भोले आदमी हैं—हमारे गोखले साहब। इन के लिए कह दिया कि इन्होंने एक व्यक्ति को सर्टिफिकेट दे दिया कि उस ने इन के चुनाव में काम किया है। इस में क्या हो गया? चुनाव में तो बहुत लोग काम करते हैं। हजारों लोग काम करते हैं। उन्होंने यह तो नहीं कहा कि वह स्मगलर नहीं है या बहुत अच्छा चरित्रवान व्यक्ति है। उन्होंने तो यह कहा है कि इन्होंने मेरे चुनाव में बहुत काम किया है। आइ विश हिम वेल। इस में क्या बुराई है? लेकिन असल में मुझे सन्देह होता है आप की नीयत पर जब आप पैरवी करते है—स्मगलिंग रोकने के इस कानून के खिलाफ, आप यह कहते हैं कि आर्डिनेन्स नहीं निकलवाना चाहिए, काम्प्रीहेन्सिव ला होना चाहिए, तो मुझ सन्देह होता है आप की नीयत पर और मुझ लगता है कि आप ने कहीं स्मगलर्स से पैसे तो नहीं ले लिए हैं? कहीं यह तो नहीं कि आप की और स्मगलर्स की साठगांठ है जो आप इस तरह के आरोप लगाते हैं। इसलिए मैं कहना चाहता हूं कि देखिए—आग से मत खेलिएगा। इस देश की जनता बड़ी समझदार है। वह आप की इन हरकतों को

बहुत अच्छी तरह से समझती हूं । मैं चाहता हूं कि इस देश में विरोधी दल मजबूत हो, लेकिन आप की हरकतें ऐसी हैं, कि आप मजबूत नहीं हो पाते ।

मैं यह कह रहा था कि इस देश में यह ऐसा कानून बना है जिस की देश में आवश्यकता थी। मैं आप का ध्यान पिछले वित्त मंत्री श्री गणेश के एक वक्तव्य की ओर दिलाना चाहता हूं.....

SHRI SOMNATH CHATTERJEE (Burdwan): Should the Emergency continue?

SHRI NAWAL KISHORE SHARMA I am not concerned with it; it is for the Government to reply. I am on a different point altogether. When that comes up we shall express our views on that matter

मैं आप से कह रहा था—हमारे वित्त मंत्रालय के भूतपूर्व मंत्री श्री के० आर० गणेश ने कहा था—

श्री जनेश्वर मिश्र (इलाहबाद) . इसी लिए उन को निकाल दिया गया ।

श्री नवल किशोर शर्मा : इस तरह की बात कहना आप की आदत हो गई है । इस तरह की राजनीति में आप ही विश्वास करते हैं । हमारी पार्टी में क्या होता है इस का आप को क्या पता । आप अपने घर को ही सम्भालिए ।

मैं निवेदन कर रहा था—श्री गणेश ने साफ कहा था कि साधारण कानून के अन्तर्गत इन लोगों को गिरफ्तार नहीं किया जा सकता । मैं आज के ही अखबार की एक खबर आप को सुनाता हूं—टाइम्ज आफ़ इंण्डिया में निकली इस खबर की ओर मैं इन विरोधी मित्रों का ध्यान खास तौर से दिलाना चाहता हूं । इस में लिखा है—

"Crime Branch solves the mystery of the watch murder."

एक मि० नरुला हैं जो स्मगलिंग का धन्धा करते थे । उन के यहां एक नौकर था—श्याम मलिक । श्याम से उन का झगड़ा हो गया, वह उन के यहां से चला गया । बाद में नरुला साहब के यहां सर्च हुई, जिस में कुछ माल बरामद हुआ । नरुला साहब ऐक बड़े स्मग्लर हैं, मीसा में उन का डिटेन्शन भी हुआ था । उन को शक हुआ कि श्याम मलिक ने यह सूचना दी है, इस लिए उन्होंने उस को मारने का षड़यन्त्र किया । श्याम मलिक को गोली से मार दिया गया । नरुला साहब गिरफ्तार हुए, लेकिन कानून तो कानून है, उस में सबूत के अभाव में छोड़ दिए गए । अब वाजपेयी जी ने बड़ी आसानी से कह दिया कि सरकार जमानतों की भी व्यवस्था कराती है । इस का मतलब है कि वाजपेयी जी को हमारी जुडीशियरी पर भी विश्वास नहीं है, वह समझते हैं कि जुडीशियरी भी गवर्नमेन्ट से इन्फ्लुएन्स्ड हो जाती है । मैं इन से पूछता हूं कि श्याम मलिक की हत्या के सिलसिले में अगर नरुला साहब छोड़ दिए गए तो सरकार के पास और क्या तरीका है ?

मैं एक बात और बतलाता हूं—ये स्मग्लर्स खुद माल नहीं लाते, माल मंगवाते हैं । इस काम में 66 हजार लोग लगे हुए हैं । इतना बड़ा गुजरात का कोस्ट है—वैस्ट कोस्ट—कैसे इन्तजाम करेंगे ? यह कह देना बहुत आसान है कि सी० आर० पी० या बार्डर सिक्योरिटी फोर्स को लगा दो, लेकिन इतने बड़े समुद्री हिस्से पर कैसे लगायेंगे—यह इतना आसान नहीं है । जो मास्टर-माइण्डेड आपरेटर्स होते हैं, वे खुद नहीं पकड़े जा सकते,

[श्री नवल किशोर शर्मा]

क्योंकि वे खुद उस माल को नहीं लाते, उनके नौकर जा कर लाते हैं, इस तरह से बिना एविडेंस के किसी भी मुकदमे में सजा नहीं हो सकती—इसी लिए नरूला साहब बरी हो गये। इस तरह के लोग जिनके पास बड़े साधन हैं, सम्पत्ति है, जिन के बड़े जरये हैं, उन के द्वारा होने वाली इस स्मग्लिंग को बन्द करना है तो बतलाइये क्या रास्ता है? मेरी समझ में यदि कोई रास्ता दिखलाई देता है तो यही रास्ता है जो सरकार ने किया है और यह बात खाली सरकार की ही नहीं है—जैसा अभी वित्त मंत्री जी कह रहे थे—ला कमीशन ने खुद यह कहा है कि इस तरह के आफेन्सेज को रोकने के लिए यह जरूरी है कि स्पैशल तरीके से, स्पेशल प्रीवन्टिव डिटेन्शन जैसी चीज का इस्तेमाल किया जाय।

हमारे मित्र—वाजपेयी जी कह रहे थे कि साहब, यह बड़ी ज्यादती की बात है कि इस में लैकुना रह जाता है। लैकुना के कारण, ये लोग छूट रहे है। मैं निवेदन करना चाहता हूं——बम्बई हाई कोर्ट, गुजरात हाई कोर्ट या दूसरे हाई कोर्ट ने जो फैसले किए हैं—वे सिर्फ लैकुना के प्वाइन्ट पर नहीं किए हैं—अगर उन लोगों ने ऐसे ग्राउन्ड्स दिए हैं जो दो साल के बाहर के थे तो हाई कोर्टों का कहना था कि गिरफ्तारी के बाद नजदीक का कोई वाक्या या इंस्टेन्स दिया जाना चाहिए। पहले की घटना के आधार पर डिटेन्शन को ला-फुल नहीं मानेंगे। इसी वजह से दूसरा आर्डिनेन्स लाना बहुत जरूरी हो गया। हाई कोर्ट का यह कहना है कि दो साल के भीतर या कोई इंस्टेंस होना चाहिए। इस लिए हमें ऐसे अधिकारों की जरूरत थी जो अनफैटार्ड हों।

इसलिए—मेरा यह कहना है कि यह बिल ऐसा बिल है जिसका इस सदन को और सारे देश को स्वागत करना चाहिए। लेकिन यह बड़ी दुर्भाग्यपूर्ण बात है कि हमारे विरोधी दल इस बिल के खिलाफ भी विरोध प्रकट कर रहे हैं इस में भी राजनीति को घसीटना चाहते हे।

सभापति महोदय एक बात और कहना चाहूंगा—यह सही है कि इस बिल के बाद इसे आर्डिनेंस के बाद देश में जो पकड़-धकड़ शुरू हुई उस से देश के आर्थिक ढांचे में कुछ स्थिरता आई है। लेकिन मुझे ऐसा लग रहा है और मैं बड़े खेद के साथ कहना चाहता हूं—कि पिछले कुछ दिनों से इस एन्टी स्मग्लिंग ड्राइव में कुछ शिथिलता पैदा हो गई है, यह कुछ ढीला पड़ गया है। इस के बारे में मैं चाहता हूं कि सरकार कारगर तरीके से कदम उठाए। मैं वाजपेयी जी की बात का समर्थन करता हूं—मुझे पता नहीं कि हमारे संविधान में इस तरह के किसी कानून का प्रावधान है या नहीं है कि आप स्मगलर्स की जायदाद को जब्त कर सकें—चाहे वह नामी हो या बेनामी हो। मैं वित्त मंत्री जी से निवेदन करना चाहता हूं—कानून में इस तरह का प्रावधान अवश्य होना चाहिए जिस से स्मग्लर्स की नामी या बेनामी जायदाद को जब्त किया जा सके। ये स्मगलर्स हमेशा जेल में नहीं रह सकेंगे, साल—डेढ़ साल में इन को छोड़ना पड़ेगा। इसलिए आज जरूरत इस बात की है कि इन को क्रिपल कर दिया जाय, पंगु बना दिया जाय। जितने साधन इनके पास हैं, जिनको ये स्मग्लिंग में इस्तेमाल करते हैं, इनको छीन लिया जाय, अपने हाथ में ले लिया जाय।

इसलिए में निवेदन करना चाहूंगा—मेहरबानी कर के इतने से ही सन्तोष मत कीजिए, इन को पंगु बनाने के लिए कठोर कदम उठायें। ये लोग चिल्लाते रहेंगे,

लेकिन देश की जनता आप के इन कामों का स्वागत करेगी—ऐसी मेरी मान्यता है, ऐसा मेरा विश्वास है।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं और उम्मीद करता हूं कि वित्त मंत्री इस कदमों को पीछे नहीं हटायेंगे और तेजी से आगे की तरफ बढ़ेंगे और साथ ही साथ जो सुझाव दिए गए हैं उन पर अमल करेंगे।

SHRI BHOGENDRA JHA (Jaithagar): Mr. Chairman, Sir, there could not be two opinions on the point that smuggling and foreign exchange racketeering has been such an important calamity to our economy and plaguing our politics also to some extent that any harsh step against this disease must be welcomed by all.

We have been told here that smuggled goods worth about Rs. 4 hundred crores are coming to the country annually. We have also read in the newspapers that the so-called smuggler kings—who have been counted 12 in number—are having a monthly income of Rs. 2 crores each.

In such a situation, I think, that even in this House, there should be no two opinions that stringent measures against this immoral and anti-national activity must be taken. This crime is being practised with the connivance and encouragement of the government officials and for this, the entire Government, particularly, the ruling party, cannot shirk their responsibility. This smuggling activity is being carried on on a wide-scale in our country with the tolerance and patronage or connivance of the officials. In such a situation, I would like to hear something from the Treasury Benches. They may say anything they want. But, with regard to a good conduct certificate given to Shri Haji Mastan by Shri Kanungo, what have they to say. This is a very interesting case. Also there are many cases. Even now there is a big smuggler in Bihar known as Shri Kam Deo Singh on whose head there is a reward of one lakh of rupees. Having committed fourteen murders he has not yet been arrested. He has got several trucks and several hundred armaments. In the last general election, even his criminal gang had started supporting the Congress (O) Party in capturing all the booths in the Begusarai Constituency. Even now, several ministers of the ruling party have been protecting him. He is now at large. Not because of lack of any law and not because of any lack of powers he could not be arrested. There is a reward of Rs. 1 lakh on his head. I challenge anybody whether they could send any force there to search him. The Government will only get embarrassed if this is done. Several ministers are helping the criminal gang. In the last bye-election his help was taken by them. The government itself is helping the monopolists in this country. It is helping them by using their black money in our country. In such a situation, even if a minor step is taken to curb this smuggling and blackmarketing or foreign exchange racketeering, we have to welcome that.

We know that this step that has now been taken is half-hearted. And, unwillingly, that step has been taken. Perhaps the Finance Minister has introduced an amendment just now. After six months or so, they are now going to appoint a person who is of the rank of the judge of a high court to review the cases involving smuggling after six months of detention

The amendment has been brought forward on behalf of the Government by the Finance Minister after this thing has gained a momentum. Is this for curbing the smuggling acti-

[Shri Bhogendra Jha]

vities of smugglers? Our apprehension is that Government does not seem to be strong enough or does not have any will power to take a serious view of these things to put an end to the smuggling and foreign exchange racketeering that are going on in this country. We have, however, to welcome in this respect that the Maintenance of Internal Security Ordinance is being replaced by this Bill.

This Bill, as it is, is limited to the prevention of smuggling and conservation of foreign exchange.

So there was danger and apprehension of wider misuse of MISA because the Ordinance was definitely misused despite assurance given on the floor of the House as has been narrated by Shri Huda. But here this Bill is limited only to smuggling and foreign exchange violations. This is a welcome thing. The very name of the Bill is a welcome departure from the ordinance.

But I would submit to the House that the wider perspective must be taken into account. If the Government is serious, the Finance Minister must withdraw the amendment which he has tabled and which has been circulated because that amendment makes a mockery of the whole affair, because after six months have elapsed, in the name of personal liberty things will be set in motion and there will be political bargaining behind the prison bars and they may be absolved of all the crimes they have committed and be allowed to be at large and commit the same crimes again.

In such a situation, I would submit that the present Bill is totally inadequate in the sense that it does not provide for total forfeiture of the entire wealth accumulated in the names of the smugglers or in benami names. All that must belong to the State, to the country. That is not provided for here. As long as they have money, they can fight. We have known how Bakhia got a medical certificate from a top heart specialist to the effect that if he were to see a policeman before him, he would die. They can engage top barristers to argue for them. In this society, with money you can have anything. So unless this money is taken away from them, no effective action can be taken. The Bill does not even touch this point.

Similarly, there is another aspect. I would tell the members of the Opposition that we are the first victims of the tyranny and repressive measures of this Government. They say there is dearth of magistrates and officials to take care of the long coastline where smuggling activities take place. But in my constituency, in the small district of Madhubani, 122 special armed police camps have been established about 20 days ago each manned by a magistrate. They are looting the crops of share croppers and helping the landlords. They are committing open armed aggression against peasants because we are implementing the Bhatedari Act and Land Reforms Act. Because of this, there is aggression against our people.

SHRI M. RAM GOPAL REDDY: This is not correct.

SHRI BHOGENDRA JHA: This is correct. Come to my constituency and I will show you. Twenty-four of my colleagues have been murdered with the help of the police and magistrates. In my area, the Syndicate, Socialists have all joined the ruling party. There is none outside. All the rogues are inside the ruling party. They have no dearth of armed men, no dearth of magistrates there. They are openly suppressing the people, looting their

crops and giving it over to the landjords illegally in violation of the Acts. These repressive measures I have narrated are in one constituency; 7,000 persons are either in jail or on bail or under warrant for defending the rights of tenants and sharecroppers and 4,000--the figure has been given by Government,—are being proceeded against under sec. 107 Cr. P.C. This is in one constituency. This is the magnitude of the repressive power of the Government.

But here when it comes to the question of smugglers what will happen to them? If the Members of the opposition mean what they say and if they really stand against smuggling they should support this Bill and they should fight to make it more stringent and stricter in form and content. They must say that it must be made applicable in a more vigorous way. That should be our attempt, not what they have said here. . . .(*Interruptions*) after detention why shall they not be tried? In free India we have been under detention for years. The trial also was going on. So I have moved an amendment and I request the Finance Minister to examine my amendment number 29. After the confirmation of detention, soon-afterwards or before the expiry of one year every person detained for smuggling or foreign exchange racket must be prosecuted in a court of law. If he is found guilty he will be sentenced to a term of imprisonment and this trial will help to unfold the political and beauracratic link that the smugglers have with the Government officers and other politicians. The cases of Shri Kanungo and Mohan Lal Sukhadia can be cited. There are several cases. I should like to be enlightened whether by the Finance Minister or by my friends of the Socialist Party about this matter. It is known that Mr. George Fernandes an ex-Member of Parliament has issued a statement in the Press that while he was a Member of Parliament he had written a letter to the Prime Minister to give legal protection to Mr. Yusuf Patel. I should like that letter and the Prime Minister's reply there to be placed on the Table of the House. We should also like to know whether it was rejected and if so why?

PROF. MADHU DANDAVATE (Rajapur): That letter had been published in Prati Paksha and is available for public consumption. We are prepared to lay that on the Table of the House also.

SHRI BHOGENDRA JHA: I want that those who know more than myself should enlighten the House and the country on that point. I request that after detention there must be trial and my amendment must be accepted. The patronage of Ministers and politicians belonging to any party or the officers must be brought out in public with all its remafication.

When the smuggling activities have assumed such big proportion they have come here haltingly, hesitatingly and half-heartedly. . . .(*Interruptions*) This is an honest capitalist Government, I know it. Many opposition parties are also capitalist parties and very honestly they are defending capitalism.

In many cases of acquittal of the detainee the ground cited is "detained on vague ground". In one case of Ranchi a smuggler was released by the Supreme Court but Supreme Court openly said: We are very sorry; we do not want to be soft or lenient to the economic offenders but even after three months the order of confirmation was not sent. Shall or shall not the officers responsible for this be penalised or punished? They did it purposely and deliberately. The grounds were left vague. In such a situation the country would like to know why it is being done like that.

I am giving one instance. In April this year at Jaya Nagar a town in Bihar on the border of Nepal, a cus-

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toms inspector was coming with smuggled goods and he was caught red handed by some people and paraded in the whole town. On that very day four district Magistrates and the Commissioner of Dharbhanga Division and the Superintendent of Police were present in that place. People took that customs inspector with a blackened face and hair cut to those officers but they asked those people to hand him over to the Police. Later on the customs inspector with a blackened case against those persons that they snatched away the smuggled good from his custody. I asked a question here and it was replied too here. I know it personally and I am prepared to vouch for that; that the customs inspector was coming with smuggled goods. That is a fact. I should like to know from the Government whether the Government means business and whether it wants people's cooperation. A block development officer of Basopatti in Madhubani district of Bihar was suspended when he was found indulging in similar practices, after the people had caught him red-handed with smuggled goods. Fortunately I also reached that place in time. The people were there and the officer was suspended. The customs inspector could not be punished because he belonged to the Central Government.

17.00 hrs.

On 25 January, 1974 one day prior to the Republic Day the President gave assent to the New Code of Criminal Procedure. In section 110 of that Act it has been provided that those violating the Foreign Exchange Regulation Act, Employees Provident Fund Act, Prevention of Food Adulteration Act, Essential Commodities Act, Drugs and Cosmetics Act, etc. shall be proceeded against under section 110 Cr. P.C. I should like to know from the hon. Finance Minister whether a single person in the whole of India has been proceeded against under that section, in any State or Union Territory or Centrally Administered area. That section is meant for those engaged in livelihood. I presume that not a single person had been proceeded against. Some persons here say: we are sorry but how was this clause accepted at that time; they could not give attention to it. I have talked to some Ministers and they ask; how this law was passed. If defaulters against Employees Provident Fund Act, could be proceeded against in this way most of the factory owners and capitalists would be punished. Whatever legal measures are there are not being applied. Naturally a suspicion arises: what is the need for this when you have in your hands powers under existing enactments?

This Bill in so far as it goes is welcome and is in the right direction, but it is utterly inadequate.

AN HON. MEMBER: It is contradictory.

SHRI BHOGENDRA JHA: Naturally even in fury, we cannot become the agents and stooges of smugglers and foreign exchange racketeers. I have told you how I am suffering in my constituency such repression the like of which has not taken place anywhere else. But even in anger, I am not prepared to act as an agent and stooge of the smugglers. This gives an opportunity to the patriots; even if the Government does not help, people will catch hold of these smugglers and hand them over to the officers. If they do not arrest them, we will *gherao* them. Here is a legal measure. I have already made clear their hestiation and half-heartedness. But this gives a whip in the hands of the people.

SHRI S. A. SHAMIM (Srinagar): In the hands of the Government.

SHRI BHOGENDRA JHA: In the case of some smugglers in Darbhanga, Madhubani and other places, the people helped in catching hold of the

smugglers. Every citizen should help in enforcing the law. In my area, we have implemented some aspects of the Land Reforms Act, whether the Ghafoor Ministry implements it or not and we are prepared to face the consequences. Our patriotic duty is not dependent upon the goodwill of the Government. Even if they hesitate and falter, we will act. Even this step which they have initiated is not because of any change of heart on their part; it is because of public pressure and mass movement. We are utterly dissatisfied with the inadequate, halting, hesitating and half-hearted measures Government have been taking. There is a feeling in the country that after Shri Subramaniam has taken over Finance Ministry, the anti-smuggling operations have slowed down. It may be misplaced, but that feeling is there. It can be removed only through action, not through words or statements in the House. If the Government wants to convice the people, it should initiate action so that the scourge of smuggling and foreign exchange racketeering are eliminated for the good. Otherwise, the people will reject them. This measure will have to be implemented in all seriousness and with speed, after removing the lacunae and accepting some helpful amendments which we have given notice of.

श्री दरबारा सिंह (होशियारपुर) : चेयरमैन साहब, हाउस के सामने जो ममला लाया गया है, उसकी अहमियत बहुत ज्यादा है और सारे हिन्दुस्तान के लोगों की आंखें उसकी तरफ लगी हुई हैं। कुछ दोस्तों ने कहा है कि यह आर्डिनेंस नहीं लाया जाना चाहिए था क्योंकि इसके मातहत ऐसे लोगों को बांध दिया जाता है, जो उसके मुस्तहक नहीं होते हैं, और उन्हें जान-बूझ कर, नाजायज त पर बांधा जाता है।

सारे हिन्दुस्तान में यह आवाज उठी कि स्मग लिंग को रोकना चाहिए। मैं यह अर्ज करना चाहता हूं कि हमारे मुल्क में जो अन-डिजायरेबल एलिमेंट्स एक्जिस्ट करते हैं, अगर हमने उनको खत्म करना है, तो आखिर कहीं से तो शुरू करना था। शुरूआत करने के लिए सरकार ने यह जो कदम उठाया है, कानून में जो लूपहोल्ज थे, उनको बन्द करने के लिए सरकार ने जो आर्डिनेंस जारी किया है, बजाये इसके कि उस की सराहना कीजिये, मामले को माइडट्रेक करने की कोशिश की जा रही है।

कुछ दोस्तों ने कहा कि फलां आदमी को इसलिये बांधा गया कि कोई सरकारी अफ़सर उसके खिलाफ़ था। मैं समझता हूं कि वे दोस्त सरकार से यह पूछ सकते हैं कि मीसा के मातहत जिन लोगों को जेल में डाला गया है, उन्होंने क्या-क्या जुर्म किये हैं। यह भी कहा गया है कि फलां आदमी के घर से कुछ नहीं निकला। लेकिन यह तो फ़ैक्ट है कि वह आदमी हिन्दुस्तान भर में बदनामतरी और नाटोरियस है कि वह सोने और दूसरी चीजों की स्मगलिंग करता है और उसने करोड़ों रुपयों की जायदाद बना ली है। अगर वह पकड़ा जाये, और उसके घर से कुछ न निकले, तो क्या इसका मतलब यह है कि वह नेकनाम है? उन तस्करों की मदद करने वाले जितने तत्व हैं, उनको यह समझ लेना चाहिये कि सरकार कभी भी इस कदम से पीछे हटने वाली नहीं है।

मैं तो इस हक में हूं कि जो लोग यह धंधा करते हैं, जिन्होंने अपनी आमदनी के जायज जरायों से ज्यादा दौलत इकट्ठी कर ली है, उनके पास से जो कुछ निकलता है, उस को जब्त कर लेना चाहिये।

[श्री दरबारा सिंह]

जहां तक इस बात का सवाल है कि कुछ लोग ग़लत तौर पर पकड़ लिए गए हैं, मैं यह मानने के लिए तैयार नहीं हूं कि डिपुटी कमिश्नर और एस० डी० एम० वग़ैरह नीचे की सतह के जिन अफ़सरों को ऐसे लोगों को पकड़ने की ताकत दी गई है, उनकी नीयत पर कोई शुबहा करने की गुंजाइश है । लेकिन हो सकता है कि टाईपिंग में, यह किसी और तरह की ग़लती हो गई हो । हां, अगर कोई गिरफ्तारी पोलीटिकली मोटिवेटिड हो, तो मैं उस के सख़्त ख़िलाफ हूं । मगर मैं समझता हूं कि इस तरह की कोई गिरफ्तारी पोलीटिकली मोटिवेटिड नहीं है ।

7.14 hrs.

[SHRI VASANT SATHE *in the Chair*]

कोशिश यह की गई है कि जो लूपहोल्ज एक्जिस्ट करते है, उनको बन्द कर दिया जाये । और मैं समझता हूं कि इस तरह के और लूपहोल्ज को बन्द करने के लिए अगर सरकार और कोई प्राविजन लायेगी, तो यह हाउस उसका साथ देगा । जो लोग इनडाइरेक्टली यह साबित करने की कोशिश करते है कि सरकार की कमियों के बायस उन लोगों को पकड़ा जा रहा है, जिनको नहीं पकड़ा जाना चाहिए, वे इनडायरेक्टली इस बात को सपोर्ट करते है कि तस्करों को नहीं पकड़ना चाहिए ।

यह एक बात दो तीन साहब जो बोले है उन्होंने इनडायरेक्टली सिद्ध करने की कोशिश की है कि तस्कर जो हैं उन पर बहुत रहम करनी चाहिए । मैं समझता हूं कि गवर्नमेंट को बड़ी सख्ती से और बगैर किसी झिझक के इस काम को करना चाहिए । मैं समझता हूं कि अभी ढील है । सरकार को और ज्यादा जोर से इस चीज को करना चाहिए । जितना भी सोना चांदी या रुपया पैसा निकला है उस से कहीं ज्यादा अभी पड़ा है, उसको निकालने की जरूरत है । इसलिए ज्यादा सख्ती से, ज्यादा तेजी से और जैसा यहां कहा कि बी एस एफ किस चीज के लिए है, ऐसी पुलिस जितनी भी है उस को इस बात के लिए लगाइए । आप उनको पकड़ने के लिए नई बोट्स लाए हैं, और लाइए, पकड़िये उनको रास्ते में, जहां से चोरी करते हैं वहां से पकड़िये और जहां जहां बेचते है वहां से पकड़िए । मैं उनकी नोटिस में लाना चाहता हूं कि लाने वाला अकेले मस्तान ही नहीं है, मस्तान के नीचे एक सारा सिस्टम, सारा आर्गनाइजेशन जो बनाया हुआ है उसको तोड़िए । ..... (व्यवधान) ..... मैं यह कह रहा हूं कि उन लोगों का जो कि एक आर्गनाइजेशन बना हुआ है, वे जहां तक बच जाते है उस हद तक इस भारी चीज को डिसमैंटल करने की जरूरत है क्योंकि अभी तक बहुत से लोग बच के निकल गए है, उन लोगों को भी माला के अन्तर्गत आपको पकड़ना होगा । कुछ सूबों में ढील है । उस ढील को आपको निकालना चाहिए । कुछ लोग उलटा कह रहे है कि इसको क्यों लाए है ? मैं कह रहा हूं कि इसमें भी सख्त लाना चाहिए और इस देश के जितने भी ऐसे बदनाम किस्म के आदमी है सब को अन्दर करना चाहिए । ये कोई चौधरी है जो कि पिटलिस्ट बनाना चाहते है इस ढंग से ? वे चाहते है कि सियासत पर हम काबू कर लें, वे चाहते है कि सारे समाज पर इनका पंजा हो । आज जितनी भी बुराई, खराबी और दुनिया भर की करेक्टरलेस चीजे होता है वह इस दौलत के मार्फत होता है जो इस तरह से कमाई जाती है । इसलिए ऐसी दौलत को खत्म करना चाहिए ।

मैं इनको यह सुझाना चाहता हूं कि यह सारे हिन्दुस्तान का मसला है । किसी एक पार्टी का मसला नहीं है । एक पार्टी के मसले को लेकर आप किसी को जस्टीफाई या अनजस्टीफाई करने की कोशिश न करें । मैं तो यह

समझता हूं कि देश भर में सब लोगों को इकट्ठे हो कर इस बात को खत्म करने की कोशिश करनी चाहिए । अगर यह खत्म हो जाए तो तमाम बुराइयां जो इस से और पैदा होती हैं वह भी खत्म हो सकती है । यह रुपया नहीं है जहर है जो लोगों में दाखिल किया जा रहा है । उस जहर को निकालने के लिए आपने बहुत अच्छा कदम उठाया है और जितनी जल्दी आप और लोगों को पकड़ें उतना ही अच्छा है । अभी बहुत से और लोग हैं । एक तो इसमें वह लोग है जो मोटा चंदा लाते हैं वोट्स में, एक वह है जिन्होंने अपने महल बना लिए है और वह महल भी उस पैसे के है कि उनके ऊपर इनकम टैक्स वालों को पूछना चाहिए । वे लोग ऐसे हैं कि जिनके पास न उनका पेशा है न उनका काम है न उनका कोई नाम है न उनकी जमीन है न उनका माल है न उनकी दूकान है लेकिन लाखों करोड़ों रुपया उनके पास से निकल कर दूसरों के पास जाता है । उनके हाथ भी बंधने चाहिये । अगर हम समाजवाद में यकीन करते है तो लाजमी तौर पर ऐसे आदमी पर हाथ डालना पड़ेगा जो इससे बचे हुए है ।

मैं आप के खिलाफ़ यह कह सकता हूं कि आपने तेजी से काम नहीं किया, लेकिन जो काम किया है, यह आर्डिनेन्स लाये हैं, इसको जल्दी से पास करके आगे काम बढ़ाइये । उसमें अगर कमी है तो अपोजीशन वाले उस कमी को सामने लायें, उस को दुरुस्त कर सकते हैं तो फिर क्यों न किया जाये । आपने जो समाज की बुराइयों को इस तरह से ठीक करने का तरीका अख्तियार किया है, वह बहुत अच्छा है और जो इसके खिलाफ़ बोलते है वे डाइलेट्री टैक्टिसज से इसको दबाना चाहते है । वे इसे दबाये नहीं, इस को सपोर्ट करें और सपोर्ट करके मिनिस्टर साहब का हाथ मजबूत करें । ।

*The original speech was delivered in Tamil.

यह मीसा अकेले इन्हीं पर लगने वाला नहीं है, उन पर भी लगने वाला है जो लोग धन इकट्ठा करते हैं और एण्टी सोशल एलीमेंट्स जितने भी है, सब को इसमें लाना चाहिए । दूसरे लोग भी हैं जो दूसरे देशों को खबर देने वाले है । क्या वे मीसा में नहीं लाये जाने वाले है ? वे भी मीसा में लाने लायक हैं और जो दूसरे मुल्कों से आये हुए पैसे को इस्तेमाल करके उस देश के प्रजातन्त्र को, उस समाज को, हमारी व्यवस्था को खत्म करना चाहते है उन को भी इसमें लाना होगा । यह बात नहीं है कि सिर्फ वही तस्कर हैं । ये भी उनसे बदतरीन किस्म के लोग है । इन सारी चीजों की तरफ सरकार को अपनी आंख करनी होगी और तेजी से काम करना होगा ।

*SHRI J MATHA GOWDER (Nilgiris): Mr. Chairman, Sir, at the very outset, I would categorically say that every one in this House wholeheartedly supports the presidential Ordinance invoking powers under the M.I.S.A. for arresting the smugglers and blackmarketeers. There can be no difference of opinion from any quarter in this House about the necessity for issuing this presidential Ordinance. But the main point of controversy is whether action taken under this Ordinance will help the ruling Congress Party or the sagging economy of the country. I am of the view that the action taken against the smugglers under this Ordinance will help more the ruling Congress party than the people of the country by improvement in the economy.

I am surprised at the sudden enlightenment of the Central Government after 27 years of Independence about the existence of smugglers in our country and the need for stringent action against them. This enlightenment on the part of the Government

[Shri J. Matha Gowder]

of India can also be compared with the enlightenment of Gautam Buddha. While Buddha did penance in the forest for long, the Government of India, while continuing in power, got enlightenment after 27 years of Independence. After two and half decades, the Government got the self-realisation that there is urgent need for issuing a presidential proclamation in this regard.

After all this sudden inspiration on the part of the Government, what do we find? In the Times of India dated 2nd December 74, there is a news item entitled SMUGGLERS ARE BACK IN BUSINESS. I quote:

"After lying low for a few weeks, smugglers in many important centres appear to be resuming their activities, a U.N.I. Survey reports"

The Government of India arrested these smugglers. They approached the Courts and got themselves released because of the legal lacunae. Now they have resumed their business in important centres. This has become possible because of this helpless Government, because of the incompetence of this Government to tackle this menace. It is also because the leading lights of the ruling Congress Party have been the ministering angels of these smugglers. Otherwise, how could Coolie Mastan become Haji Mastan? The Government, during this long period, were fully aware of the smuggling activities in our country.

SHRI M. RAM GOPAL REDDY: Any Mussalman who goes to Mecca becomes a Haji.

SHRI J. MATHA GOWDER: I know that. Coolie Mastan became Haji Mastan, because the Government of India issued the necessary Pass-port to him. Though the Government of India knew that he was a smuggler, yet they gave him the pass-port, enabling him to go to Mecca.

I will refer here to a photograph published in the latest issue of Blitz, dated 30th November 1974, which proves my contention that the ruling Congress Party Members were fully acquainted with the smugglers. This photograph shows Yusuf Patel, who has now been detained under MISA. The caption under this photograph reads as follows.

"Yusuf Patel (facing camera), now in detention under MISA..."***

MR. CHAIRMAN: Order, Order. The hon Member should not mention names without prior notice. This will not go into record.

(Interruptions)

MR. CHAIRMAN: Mr. Gowder, before reading out the name of a person who is not a Member of this House, have you given your intimation about it..

AN HON MEMBER: This is a news item.

MR: CHAIRMAN: Allegation is made under Rule 353. Let us go by the rule. You know it.

श्री जनेश्वर मिश्र (इलाहाबाद) : हाजी कुली मस्तान का नाम लिया जा सकता है या नहीं ? पटेल का नाम लिया जा सकता है या नहीं ?

सभापति महोदय : जिन लोगों को पहले ही पकड़ लिया गया है, जिनके नाम पहले ही आ गये है , उनकी अलग बात है, उस की इजाजत है ।

Even Government have placed them; that is not a secret. You see Rule 353. If you make allegation,

***Not recorded

that person has no opportunity to defend himself. Action against Blitz you may take outside. I am here trying to protect the interest of those persons not able to defend themselves here. That is the rule. No allegation should be made.

SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Vajpayee mentioned the name of Kunungo, former Governor of Maharashtra. Nobody raised any objection. Mr. Deputy Speaker was in the chair and he did not take objection.

MR. CHAIRMAN: There is no question of interpreting the rule and all that. The rule is very clear. It says that 'No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker. You can do so, provided you have given previous intimation to the Speaker. You know it. You can do so provided you have given previous intimation. That is all. You have not done that.

AN HON. MEMBER: This is not a new allegation.

श्री जनेश्वर मिश्र आप यहां बैठ कर इस रूलिंग को कोट करते तो अच्छा था ।

सभापति महोदय लेकिन चेयर पर बैठ कर तो ज्यादा जिम्मेदारी हो जाती है ।

श्री जनेश्वर मिश्र . वहां बैठ कर ऐसा न करें ।

सभापति महोदय नियमों के मुताबिक चलने से सदन की कार्यवाही ज्यादा अच्छी होगी , मैं आपका सहयोग चाहता हूं । Please do not do it...

SHRI DINESH JOARDER (Malda): During any discussion, members can do it and they are entitled to read out report of the newspaper.

MR. CHAIRMAN: Provided you give notice of such allegation. That notice is not given. Under the garb of reading news item you cannot make incriminatory and defamatory allegations against another person.

SHRI KRISHNA CHANDRA HALDER: There are cases where names have been mentioned. Another Member of the House has mentioned many names.

MR. CHAIRMAN: I am discharging my duty as a Chairman. I will go as per rules. Mr. Gowder, please don't do it

SHRI J. MATHA GOWDER: It is all reported in the newspapers; it is not a new allegation.

MR. CHAIRMAN: Then, why don't you give previous notice? I am not stopping you. You must have given previous notice, that you want to mention such and such name.

SHRI P. G. MAVALANKAR: I rise on a point of order. Is there no difference between quoting from a report which is already published in any printed journal or newspaper and referring to some individual and his action on the basis of information which is in the exclusive possession of the Member himself? If the Member is in possession of certain information about an individual who is not member of this House, then you are right, the rule tells us that we cannot refer to him because we have not given due notice.

But what Mr. Gowder has been doing is merely giving out what has already appeared and published in a newspaper. That report which is printed has not been contradicted by the person against whom it has appeared. Therefore, I want to know whether you make difference between referring

[Shri P. G. Malvankar]

to an individual on the basis of Member's personal information and the Member referring to any printed journal which is freely available to all and which has not been contradicted by the person against whom it has been printed.

MR. CHAIRMAN: The idea behind this rule is not about newspapers and other things. Here, in this House, Members have certain privileges and they enjoy immunity for whatever they say. Therefore, for a healthy practice those who do not have an opportunity of clarifying and defending themselves the hon. Members must have some restraint. All that is required is you must give a previous intimation—whether based on newspaper report or personal knowledge. Whatever may be the source if you want to name somebody you must give previous information. Therefore, I would submit, as that has not been done that is contradictory to rule. I would ask Mr. Gowder to withdraw.

SHRI SOMNATH CHATTERJEE: Sir, can any member while discussing this Bill refer to Haji Mastan?

MR. CHAIRMAN: Yes. Mr. Chatterjee would know Mr. Haji Mastan's name has already come.

SHRI VAYALAR RAVI: . . .****

(Interruptions)

MR. CHAIRMAN: If any Member has given, without previous notice, the name of any one outside, who is not here, that will not be recorded.

(Interruptions)

SHRI J. MATHA GOWDER: Mr. Chairman, Sir, it is natural that one, who commits blunders, will easily get agitated and it is normal that Shri Vayalar Ravi, who belongs to such a party, should get agitated.

The Congress Party has been in power uninterrupted for the past 27 years at the Centre. Can anyone believe that the Government were not in the know of the activities of the smugglers during all these years? Only to prove that the leading members of the ruling party were hobnobbing with the established smugglers, I referred to the photograph in the Blitz. Till the day of his arrest, Ram Lal Narang, a smuggler was a member of the Maharashtra Telephone Advisory Committee. Can it be contended that he became a member of the Maharashtra Telephone Advisory Committee without the connivance of both the Central Government and the State Government of Maharashtra. The ruling party had to extend such patronage to the smugglers because it was being favoured by these smugglers with several lakhs of rupees for the purpose of meeting the election expenses of the Congress Party every five years.

I will give you another example how the smugglers were being encouraged by the ruling Congress Party. Yusuf Patel, a well-known smuggler, who was nicknamed as the Pillar of the Congress, has now been detained under the MISA. When was this done? This was done after he gave insolvency, after he made benami transfers of all his property. It is widely believed that he was advised by the ruling Congress party members to become insolvent at the earliest as he was likely to be arrested under the M.I.S.A. Not only he got prior intimation about the likely arrest, but also the advice about transferring all his assets and becoming insolvent before his arrest. If this had not been done, the Government could have seized all his property in public interest.

Similarly, I would also refer to what Haji Mastan had to say in an interview he had with Shri Shamim

****Not recorded.

Ahmad Shamim, M.P. This has been published in the *Illustrated Weekly* of India I quote:

> "Half the wealth in our cities consists of black money amassed by Ministers, officials and leaders of various political parties. Politicians abuse me by day and come to me at night with their begging bowl, asking me to give them money to fight the elections I dole out the money and smile to myself If today I mention their names, there will be a sensation. They include Congressmen."

Haji Mastan has expressed this view to Shamim Ahmad Shamim that it would become a sensation if he divulged the names of Congressmen who had come to him for money for fighting the elections.

It is clear that the Government do not want the cases of the smugglers to be taken to courts If they are taken to the courts, all the underhand dealings of the Congress Party will become public. That is why the Government are keen to detain the smugglers indefinitely under the MISA denying them even the fundamental right of going to a court of law Only to this the Opposition Leaders are objecting.

In conclusion, I have no hesitation in saying that the defective, deficient and wrong policies of the Congress Government at the Centre have led to the deteriorating economic chaos in the country.

श्री मूल चन्द डागा (पाली) सभापति जी, 17 सितम्बर की रात को जब एक अध्यादेश जारी हुआ तो जो तस्कर सम्राट थे, हाजी मस्तान, वाखिया और पटेल आदि, जो अट्टालिकाओं में रहते थे आज वह कहा है और कहा रह रहे है, इस बात को सारा देश जानता है । एक बहुत बडी बात हुई, इस प्रकार से अध्यादेश जारी हुआ कि लोगो को मालूम नही हुआ कि तस्कर सम्राट, जिन्होने देश की अर्थ व्यवस्था को बिगाड़ दिया था, उनको इस प्रकार से पकडा जायेगा । लेकिन आज जब तस्करी को मिटाने के लिए एक कानून आ रहा है तो लोग इसकी आड़ मे न जाने क्या क्या शिकार खेलना चाहते है । मैं नही कहता कि भारत मे ही तस्करी होती है । दुनिया के सभी देशो मे तस्करी होती है, और तस्करी की बीमारी आज की बीमारी नही है बल्कि बहुत पुरानी है, सैकडो सालों से तस्करी होती आयी है । लेकिन आज लोग कीचड उछाल रहे है यह कह कर कि फलाने का हाथ था, ढिकाने का हाथ था । मै पूछना चाहता हू कि जब तस्करो ने इस देश मे 27 साल से बराबर काम किया तो कौन सी राजनीतिक पार्टी थी जिसने सरकार को यह कहा हो कि हम इस तस्कर सम्राट को पकडाना चाहते है ? आज आप सभी कहते हैं कि तस्करो की सरकारी अधिकारियो से जानपहचान थी । लेकिन इसके पहले क्या किसी राजनीतिक पार्टी ने उन तस्करों के बारे मे किसी को शिकायत की ? जब 17 सितम्बर के बाद भारत सरकार ने तस्करो को पकड़ना शुरू किया तब आपका याद आया कि तस्करो की लोगो से जानपहचान है । किसी ने कुछ कहा और किसी ने किसी अन्य नेता का नाम लिया । देश में कई सरकारे बनी, सविद सरकारे भी बनी, लेकिन क्या किसी सरकार ने उन तस्करो की बाबत कोई शिकायत कभी भारत सरकार को कि यह व्यक्ति तस्करी करने वाला है । क्या किसी राजनीतिक पार्टी ने अपने घोषणापत्र मे कहा कि जिसके पास तस्करी का माल होगा उसको अपनी पार्टी का मेम्बर नही बनायेगे ? किसी ने नही कहा । मै मानता हू मनुष्य मे कमजोरिया है, जो कोई भी बाहर जाता है तो अपने साथ तस्करी का सामान लाता है । वे दूध के धुले हुए बनना चाहते हैं । किस के घर मे नही है ? आपके घर में नही है ? कानून यह होना चाहिये कि फलां तारीख

[श्री मूल चन्द डागा]

तक सभी ऐलान करें कि किसके पास तस्कर का माल है, बाहर से मंगाया हुआ माल है। उस तारीख के बाद किसी के पास भी अगर यह माल पाया जाए तो उसको सजा होनी चाहिए।

आप यह देखें कि तस्करों ने मन्दिर भी बनवा दिए है, मस्जिदें भी बनवा दी है। हाजी और पंडित वे बन गये हैं क्योंकि धर्म का काम उन्होंने किया है। लेकिन क्या धर्म ने उनको यह सिखाया था कि तुम तस्करी का काम करो। जो राजनीति में है क्या उन्होंने कुछ किया? इन लोगों के खिलाफ क्या धर्म के ठेकेदारों ने कुछ कार्रवाई की जो हाजी बन गए, पंडित बन गए, टीका लगाने लग गए? इतने सालों तक क्या उनको पता नहीं था कि इस प्रकार के राष्ट्र द्रोही काम वे कर रहे है। राष्ट्र के विरुद्ध काम कर रहे है, राष्ट्र को गड्ढे में धकेलने का काम कर रहे है। हाजी मस्तान और यूसुफ पटेल या कोई और हो किसने इनसे चन्दे लिए है? रात के अन्धेरे में किसने चन्दे लिए है? लिए है तो गलत है नहीं है? फिर अगर उनके खिलाफ कार्रवाई की जाती है, कानून बनाया जाता है तो क्या उसको आपको सपोर्ट नहीं करना चाहिये। मुझे मालूम है और कई बार इस सदन में इसकी चर्चा आई है कि नयनमल पूजा जी ने 28 लाख रुपया या 26 लाख जो मोहनलाल सुखाड़िया को दिया था वह एक साधू ने दिलवाया था अकाल के वक्त धान उससे बंटा था और इसके पीछे भी एक साधू का ही हाथ था। वहां असेम्बली में और यहां भी इस पर वाद विवाद हुआ था। उसके पीछे भी एक बड़ा भारी धर्म का ठेकेदार था। अब धर्म के ठेकेदारों की आड़ में जो स्मगलिंग होता हैं इसको रोकने के लिए भी आप कानून जो बनाने जा रहे हैं उसका आप विरोध क्यों कर रहे हैं। जिस तरह के यहां भाषण किये गए हैं वे हल्के स्तर के मुझे मालूम हुए हैं। यहां यह कहा जाता रहा है कि इन स्मगलर्ज को मीसा में क्यों गिरफ्तार नहीं किया जाता है, क्यों उसको काम में नहीं लाया जाता है? लेकिन जब उसके अन्दर कार्रवाई हुई, हिन्दुस्तान में एक हवा बनी, सैकड़ों और हजारों स्मगलर्ज को गवर्नमेंट ने उसके अन्दर पकड़ा तो जब कुछ लोग छूट गए तो उसका इलाज क्या था? यही था कि कोई कानून बनाया जाए ताकि वे छूटे नहीं। अब कहा जा रहा है कि चन्दे लेने आप जा रहे है इलेक्शन में। मैं समझता हूं कि इस तरह की हल्की बातें नहीं होनी चाहिये, जबान पर थोड़ा कंट्रोल रखना चाहिये, कुछ संयम के साथ काम लिया जाना चाहिये। यह कहा जाता है कि हिन्दुस्तान की सरकार उनसे चन्दे लेगी और उसके बल पर चुनाव लड़ेगी। लेकिन क्या बाहर भी लोग ऐसी राय रखते है? जब सरकार ने पहला कदम स्मगलर्ज के खिलाफ, बेईमानों के खिलाफ, देश द्रोहियों के खिलाफ उठाया तो लोगों ने उसका स्वागत किया। लेकिन आप अब इन्हीं लोगों की वकालत करने लग गये हैं और कहने लग गये हैं कि उनको उनके मूलभूत अधिकारों से वंचित न करो। उनको कहा इन अधिकारों से वंचित किया जा रहा है। आपने यहां बार बार कहा है कि राष्ट्र विरोधी कार्रवाइयों में हिस्सा लेने वालों को लैम्प पोस्ट पर खड़ा कर दीजिये और उनको गोली से उड़ा दीजिये। जब हम कहते है कि कानून के सिकंजे में उनको जकड़ा जाए और उनको मौका दिया जाये कि वे भी अपनी बात कह सकें तो आप कहने लग गये हैं कि राजनीति में भाग लेने वालों को आप इसमें फंसायेंगे और आप इसका विरोध करते हैं। अब यह जो स्मगलर्ज के खिलाफ कार्रवाई का निर्णय लिया जाना है यह आप लेंगे या हिन्दुस्तान की 56 करोड़ जनता लेगी। मैं समझता हूं कि हिन्दुस्तान की जनता तस्कर विरोधी कार्रवाईयों में सरकार के साथ है।

अब अगर कोई उनके खिलाफ कानून बनाया जाता है तो आपको बताना चाहिये कि उसमें यह कमी है, यह गलती है और उसको दूर किया जाये। अध्यादेश जो जारी हुआ है उसके पहले सरकार ने ठीक समझा कि आपको बुला कर आपसे बात कर ली जाये। सरकार ने आपको कान्फिडेंस में लेना चाहा था। लिया भी था। आपको चाहिये था कि आप सरकार की इस काम मे मदद करते, उस कानून को अमली रूप देने मे आपको चाहिये था कि आप सहयोग देते। लेकिन अगर इस आड़ मे राजनीतिक उल्लू सीधा करने की कोशिश की जाये तो यह ठीक नही है। मैं चाहता था कि श्री वाजपेयी बिल पर कुछ बोलते। ऐसा वह करते तो अच्छा होता। उन्होने हर तरह की बात कही लेकिन एक शब्द भी नही बताया कि इस बिल में क्या क्या कमिया है। लेजिस्लेशन आपके सामने है। वह एक घटा बोले है। उन्होंने ख्वामख्वाह की बाते ही कही है, कहा है कि कुमारमंगलम वकील कैसे बन गए, एच० आर० गोखले ने पत्र कैसे लिख दिया। इस तरह की बाते कह कर आप समझते है कि आप देश और दुनिया की सेवा कर रहे है, हिन्दुस्तान के सामने जो यह एक बहुत बड़ा मामला है उसका हल आप निकाल रहे है। मै चाहता था कि श्री चटर्जी साहब जैसे लोग जो कानून को समझते है भाषण देते। ऐसा नही समझना चाहिये कि वह कोई बड़ा मैदान है, रामलीला ग्राउन्ड है जहा भाषण दिया जा रहा है। इस बिल में क्या कमी है, यह आपको बतलाना चाहिये था।

श्री सोमनाथ चटर्जी : आप यह बताइये कि आप एमरजेंसी जो लागू है उसको सपोर्ट करते है या नही करते है।

श्री मूल चन्द डागा : आपने इस बिल के स्टेटमेंट आफ आबजैक्टस एंड रीजन्ज मे लिखा है :

"to provide for preventive detention in certain cases for the purposes of conservation and augmentation of foreign exchange"

मै समझता हूं कि सारी जो चीजें है उनको आप एक ही और इसी बिल में रखते। अब कस्टम्ज के बारे में डेफीनीशन को आपको ढूढना हो तो उसके लिए कस्टम्ज बिल देखना पड़ेगा, दूसरे एक्ट को देखना पडेगा और किसी और चीज को देखना हो तो उसको उस एक्ट में देखना पड़ेगा। आपको चाहिये कि सब चीजों को कंसोलिडेट करके आप एक जगह रखते ताकि कस्टम वगैरह के लिए दूसरा एक्ट देखने की जरूरत नही पड़ती और सुविधा हो सकती। आपको देखना चाहिये था कि अफसरो को ही नहीं, लायर्ज को ही नहीं बल्कि आर्डिनरी आदमी को भी सुविधा होती और सब चीजे उनको एक ही स्थान पर मिल जाती और अलग अलग एक्ट देखने की जरूरत न पडती। सभी डैफीनीशंज को कस्टम्ज, फारेन एक्सचेंज आदि को इस बिल में ही स्थान देना चाहिये। आपने डैफीनीशंज अलग अलग दी है।

फिर आपने इसमे कहा है :

"specially empowered for the purposes of this section by that Government, may, if satisfied, with respect to any person...."

आपने पावर दी है ज्वायंट सैक्ट्री और सेक्रेटरी को स्टेटस में डिटेंशन आर्डर इशू करने की बाबत। अब उनको क्या देखना चाहिये। यह देखना चाहिये कि प्राइमा फेसी एपीयर्ज लाइक दिस और नाट एंड नाट सेटिसफाइड। अगर सरकार सेटिसफाइड है, तो फिर जज और एडवाइजरी बोर्ड किस बात की सैटिसफ्रैक्शन करेंगे ? मेरा खयाल है कि यहां "एपीयर" या "प्राइमा फेसी" होना चाहिए। "सैटिसफाइड" होने से बडी दिक्कत होगी।

SHRI P. G. MAVALANKAR: Mr. Chairman, Shri Vajpayee, while moving his statutory resolution, has very ably put forward the case of people like us who feel very strongly that effective, timely and urgent action must be taken against smugglers but the way in which the Government have come forward with this Ordinance, the Presidential Order and the proposed Bill have been far from satisfactory.

Many members from the Congress benches have been chiding us and asking whether we are pleading for fundamental rights for the smugglers. Let us not talk in childish and mischievous terms. Nobody in his senses will ever say that the smugglers should be protected. As a matter of fact, smuggling has been going on in this country because of the party in power. It is the party in power which has been the beneficiary of this anti-national, anti-social, anti-patriotic activity which has been going on for the last so many years. On top of all that, these hon. gentlemen in such a shameless way abuse us for the pleading for the rights of the smugglers when we are in fact discharging our democratic duty of protecting the fundamental rights of the citizens The question is whether we are really sincere about certain provisions of our Constitution. Did the constitution-makers ever dream that this Government will pervert and twist the provisions relating to emergency?

MR. CHAIRMAN: The hon. Member may continue his speech tomorrow.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 4, 1974/Agrahayana 13, 1896 (Saka).

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